



General Assembly

Amendment

January Session, 2017

LCO No. 6833



Offered by:

SEN. WITKOS, 8th Dist.

REP. ORANGE, 48th Dist.

To: Subst. Senate Bill No. 821

File No. 204

Cal. No. 128

**"AN ACT CONCERNING ROOFING, WINDOW AND SIDING
CONSUMER WARRANTIES AND POST-SALE WARRANTY WORK
REIMBURSEMENT FOR POWER EQUIPMENT DEALERS."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective January 1, 2018*) (a) Whenever a
4 manufacturer of residential roofing, window or siding materials offers
5 a consumer warranty for any such roofing, window or siding
6 materials, such manufacturer shall pay any warranty claim made for
7 materials and labor pursuant to such warranty not later than thirty
8 days after receipt and approval of such claim by the manufacturer. The
9 manufacturer shall approve or disapprove a warranty claim not later
10 than thirty days after receipt of such claim by the manufacturer. If a
11 warranty claim is not disapproved in writing by the thirtieth day after
12 receipt of such claim by the manufacturer, it shall be deemed to be
13 approved and payment shall be made by the manufacturer not later
14 than thirty days thereafter.

15 (b) A manufacturer that pays a consumer warranty claim pursuant
16 to subsection (a) of this section shall pay the consumer the full price for
17 any materials and the hourly labor rate the consumer was charged,
18 provided the consumer documents such price and rate in writing and
19 further provided the total amount payable for such claim is not greater
20 than the amount paid by the consumer for the original purchase and
21 installation of the residential roofing, window or siding material.

22 Sec. 2. Section 42-351 of the general statutes is repealed and the
23 following is substituted in lieu thereof (*Effective January 1, 2018*):

24 (a) Whenever a supplier and a dealer enter into a dealer agreement
25 that provides for consumer warranties, the supplier shall pay any
26 warranty claim made for parts and service not later than thirty days
27 after receipt and approval of such claim by the supplier. The supplier
28 shall approve or disapprove a warranty claim not later than thirty days
29 after receipt of such claim by the supplier. If a warranty claim is not
30 disapproved in writing by the thirtieth day after receipt of such claim
31 by the supplier, it shall be deemed to be approved and payment shall
32 be made by the supplier not later than thirty days thereafter.

33 (b) A supplier that pays a warranty claim pursuant to subsection (a)
34 of this section shall pay the dealer the full retail price for any parts and
35 the hourly labor rate the dealer charges consumers for nonwarranty
36 repair work for service.

37 (c) A supplier shall not deny a warranty claim made by a dealer
38 pursuant to subsection (a) of this section or charge-back such a claim
39 following a timely audit based solely on the dealer's failure to comply
40 with a claim processing procedure, a clerical error or other
41 administrative technicality, provided the failure to comply does not
42 call into question the legitimacy of the claim. The supplier shall allow
43 the dealer to resubmit a denied claim according to reasonable supplier
44 guidelines not later than thirty days after the initial claim denial or
45 charge-back."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2018</i>	New section
Sec. 2	<i>January 1, 2018</i>	42-351