

CHAPTER 2023-288

Committee Substitute for House Bill No. 1203

An act relating to registrations and transfers of heating, ventilation, and air-conditioning system manufacturer warranties; creating s. 559.956, F.S.; requiring a manufacturer's warranty for a heating, ventilation, and air conditioning (HVAC) system to run with the property; providing that a warrantor continues to be obligated under the terms of a manufacturer's warranty agreement regardless of the property owner and may not charge a transfer fee; providing that the transfer of a warranty does not extend the warranty; providing that a warranty is deemed registered if a contractor licensed under part I of chapter 489, F.S., meets certain requirements; requiring certain documentation; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 559.956, Florida Statutes, is created to read:

559.956 Registrations and transfers of heating, ventilation, and air-conditioning system manufacturer warranties; required contractor documentation.—

(1) If a residential real property that includes a heating, ventilation, and air-conditioning (HVAC) system as a fixture to the property is conveyed to a new owner, a manufacturer's warranty in effect on that system or a component of that system:

(a) Is automatically transferred to the new owner; and

(b) Continues in effect as if the new owner was the original purchaser of such system or component, as applicable.

(2) A warrantor continues to be obligated under the terms of a manufacturer's warranty agreement for a warranty transferred under this section and may not charge a fee for the transfer of the warranty.

(3) The transfer of a manufacturer's warranty under this section does not extend the remaining term of the warranty.

(4) A manufacturer's warranty for an HVAC system is deemed registered with the manufacturer if a contractor licensed under part I of chapter 489:

(a) Installs the new HVAC system; and

(b) Provides the manufacturer of the HVAC system with the date of the issuance of the certificate of occupancy for installations relating to new construction, or the serial number of the HVAC system for installations relating to existing construction, as applicable.

(5) A contractor licensed under part I of chapter 489 who installs a new HVAC system must document the installation through an invoice or a receipt and provide the invoice or receipt to the customer.

Section 2. This act shall take effect July 1, 2023.

Approved by the Governor June 23, 2023.

Filed in Office Secretary of State June 23, 2023.