S T A T E O F N E W Y O R K

1963

2009-2010 Regular Sessions

I N S E N A T E

February 10, 2009

Introduced by Sen. STACHOWSKI -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT to amend the general business law, in relation to appliance warranties

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The general business law is amended by adding a new section 395-c to read as follows:

S 395-C. APPLIANCE WARRANTIES. 1. FOR PURPOSES OF THIS SECTION:

(A) "PERSON" MEANS AN INDIVIDUAL, FIRM, PARTNERSHIP, TRUST, ASSOCIATION OR CORPORATION.

(B) "SERVICE DEALER" MEANS A PERSON WHO FOR COMPENSATION, ENGAGES IN THE BUSINESS OF REPAIRING OR SERVICING APPLIANCES PURSUANT TO A WARRANTY OR GUARANTEE GIVEN TO A PURCHASER.

(C) "APPLIANCE" MEANS ANY ELECTRONIC DEVICE OR EQUIPMENT THAT IS COMMONLY USED OR SOLD FOR PERSONAL, FAMILY OR HOUSEHOLD PURPOSES, INCLUDING, BUT NOT LIMITED TO, TELEVISIONS, RADIOS, STEREO SYSTEMS, COMPACT DISC PLAYERS, HOME COMPUTER SYSTEMS, TELEPHONES, TELEPHONE ANSWERING MACHINES, SATELLITE DISHES, CAMERAS, CALCULATORS, VIDEO RECORDERS OR PLAYERS, CAMCORDERS OR OTHER PORTABLE VIDEO RECORDING DEVICES, CASSETTE RECORDERS OR PLAYERS, FACSIMILE MACHINES, PORTABLE PHOTOCOPIERS, AIR CONDITIONERS, CLOTHES WASHING MACHINES, CLOTHES DRYERS, DISHWASHERS, FOOD FREEZERS, REFRIGERATORS, STOVES, RANGES, OVENS, MICROWAVE OVENS OR SEWING MACHINES.

2. EVERY SERVICE DEALER SHALL FOR EVERY WARRANTY OF SERVICE OR REPAIR MADE TO AN APPLIANCE IN COMPLIANCE WITH A WARRANTY OR GUARANTEE, DISCLOSE IN WRITING WHETHER ANY CHARGE WILL BE IMPOSED FOR SERVICES RENDERED IN CONNECTION WITH TRANSPORTING SUCH APPLIANCE TO AND/OR FROM THE LOCATION WHERE THE APPLIANCE IS LOCATED.

S 2. This act shall take effect on the ninetieth day after it shall have become a law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD07918-01-9