

# STATE OF NEW YORK

8332

## IN SENATE

January 18, 2024

Introduced by Sen. COMRIE -- 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 promoting consumer choice by requiring manufacturers of digital electronic equipment to provide retail sellers with a one through ten repair score that will be displayed to consumers at point of sale

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. This act shall be known and may be cited as "The Electronics Repair Scores Act".

2 § 2. Subdivision 1 of section 399-nn of the general business law is  
3 amended by adding two new paragraphs (s) and (t) to read as follows:

4 (s) "Repair score" or "score" means a one through ten score calculated  
5 by the manufacturer based on the repair scoring criteria developed by  
6 the attorney general.

7 (t) "Detailed score" means the information regarding the calculation  
8 and meaning of the repair score as defined by the scoring criteria  
9 developed by the attorney general.

10 § 3. Subdivision 2 of section 399-nn of the general business law, as  
11 amended by chapter 48 of the laws of 2023, is amended to read as  
12 follows:

13 2. Requirements. (a) An original equipment manufacturer shall make  
14 available to any independent repair provider and owner of digital elec-  
15 tronic equipment manufactured by or on behalf of or sold by such  
16 original equipment manufacturer, on fair and reasonable terms, any  
17 documentation, parts, and tools required for the diagnosis, maintenance,  
18 or repair of such digital electronic equipment and parts that are manu-  
19 factured for the first time, and first sold or used in New York on or  
20 after July first, two thousand twenty-three. Such documentation, parts,  
21 and tools shall be made available either directly by an original equip-  
22 ment manufacturer or via an authorized repair provider. An original  
23 equipment manufacturer who, in the regular course of business, offers to  
24 an owner the services of diagnosis, maintenance or repair of its own  
25 digital electronic equipment, and who does not have an arrangement  
26

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

LBD13840-01-3

1 described in paragraph (a) of subdivision one of this section with an  
2 unaffiliated individual or business, shall be considered an authorized  
3 repair provider with respect to such equipment.

4 (b) (i) For digital electronic equipment that is sold or used in this  
5 state, an original equipment manufacturer shall make available to any  
6 retail sellers and the attorney general the repair score and detailed  
7 score for such digital electronic equipment, inclusive of any updates to  
8 information.

9 (ii) When displayed by retailers and manufacturers near pricing infor-  
10 mation, the score shall include the logo representation of the score as  
11 developed by the attorney general.

12 (iii) A retail seller that receives notification from the original  
13 equipment manufacturer or the attorney general regarding the product's  
14 repair score shall ensure that, within ninety days of receipt of the  
15 notification:

16 (A) prominently display repair scores on the product or near the pric-  
17 ing information for the product for such digital electronic equipment  
18 within all retail locations located within the state and internet retail  
19 websites.

20 (B) make the detailed score available to a potential purchaser of the  
21 product on the retail seller's website near pricing information.

22 (iv) Original equipment manufacturers shall clearly display repair  
23 scores for such products on their website product listing pages, as well  
24 as make publicly available detailed scores to all potential purchasers  
25 on each product listing page.

26 (v) Scoring criteria will be determined by the attorney general, which  
27 shall periodically update such criteria, and a logo representation of  
28 scores. Scoring criteria shall include, but is not limited to: the free  
29 and public availability of technical documents regarding the product;  
30 ease of disassembly of the product; availability of spare parts for the  
31 product; the price of spare parts for the product; length of software  
32 support by the manufacturer of the product; and other criteria specific  
33 to the category of the product as determined by the attorney general.

34 § 4. This act shall take effect one year after it shall have become a  
35 law; provided, however, that if chapter 810 of the laws of 2022 shall  
36 not have taken effect on or before such date then sections two and three  
37 of this act shall take effect on the same date and in the same manner as  
38 such chapter of the laws of 2022, takes effect.