

Bill No. CS for SB 2006

Barcode 745820

CHAMBER ACTION

Senate

House

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Senator Dockery moved the following amendment:

Senate Amendment (with title amendment)

On page 5, between lines 14 and 15,

insert:

Section 4. Subsection (13) of section 634.401, Florida Statutes, is amended to read:

634.401 Definitions.--As used in this part, the term:

(13) "Service warranty" means any warranty, guaranty, extended warranty or extended guaranty, maintenance service contract equal to or greater than 1 year in length or which does not meet the exemption in paragraph (a), contract agreement, or other written promise for a specific duration to perform the repair, replacement, or maintenance of a consumer product, or for indemnification for repair, replacement, or maintenance, for operational or structural failure due to a defect in materials or workmanship, normal wear and tear, power surge, or accidental damage from handling to indemnify against the cost of repair or replacement of a consumer product in return for the payment of a segregated charge by

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1 the consumer; however:

2 (a) Maintenance service contracts written for less
3 than 1 year ~~or less~~ which do not contain provisions for
4 indemnification and which do not provide a discount to the
5 consumer for any combination of parts and labor in excess of
6 20 percent during the effective period of such contract, motor
7 vehicle service agreements, transactions exempt under s.
8 624.125, and home warranties subject to regulation under parts
9 I and II of this chapter are excluded from this definition;

10 ~~and~~

11 (b) The term "service warranty" does not include
12 service contracts between consumers and condominium
13 associations; ~~and~~

14 (c) All contracts that include coverage for accidental
15 damage from handling must be covered by the contractual
16 liability policy referred to in s. 634.406(3).

17
18 (Redesignate subsequent sections.)

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20
21 ===== T I T L E A M E N D M E N T =====

22 And the title is amended as follows:

23 On page 1, lines 2 and 3, delete those lines

24
25 and insert:

26 An act relating to warranty associations;
27 amending s. 634.401, F.S.; redefining the term
28 "service warranty" for purposes of regulation
29 of service warranty associations; amending s.
30 634.011, F.S.;

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