

1 A bill to be entitled

2 An act relating to building construction regulations  
3 and system warranties; amending s. 489.105, F.S.;  
4 revising definitions; amending s. 559.956, F.S.;  
5 providing a specified effective date for provisions  
6 relating to HVAC manufacturer's warranty transfers;  
7 prohibiting HVAC manufacturer's warranties from being  
8 conditioned upon the product registration; providing  
9 applicability; removing provisions relating to HVAC  
10 manufacturer's warranty registration; creating s.  
11 559.957, F.S.; providing the effective date for  
12 certain HVAC systems and components warranties under a  
13 specified circumstance; providing required information  
14 for warranty and product registration cards and forms;  
15 prohibiting HVAC systems and components warranties  
16 from being conditioned upon the product registration;  
17 providing an effective date.

18  
19 Be It Enacted by the Legislature of the State of Florida:

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21 Section 1. Paragraphs (f), (g), and (i) of subsection (3)  
22 of section 489.105, Florida Statutes, are amended to read:

23 489.105 Definitions.—As used in this part:

24 (3) "Contractor" means the person who is qualified for,  
25 and is only responsible for, the project contracted for and

26 | means, except as exempted in this part, the person who, for  
27 | compensation, undertakes to, submits a bid to, or does himself  
28 | or herself or by others construct, repair, alter, remodel, add  
29 | to, demolish, subtract from, or improve any building or  
30 | structure, including related improvements to real estate, for  
31 | others or for resale to others; and whose job scope is  
32 | substantially similar to the job scope described in one of the  
33 | paragraphs of this subsection. For the purposes of regulation  
34 | under this part, the term "demolish" applies only to demolition  
35 | of steel tanks more than 50 feet in height; towers more than 50  
36 | feet in height; other structures more than 50 feet in height;  
37 | and all buildings or residences. Contractors are subdivided into  
38 | two divisions, Division I, consisting of those contractors  
39 | defined in paragraphs (a)-(c), and Division II, consisting of  
40 | those contractors defined in paragraphs (d)-(q):

41 |       (f) "Class A air-conditioning contractor" means a  
42 | contractor whose services are unlimited in the execution of  
43 | contracts requiring the experience, knowledge, and skill to  
44 | install, maintain, repair, fabricate, alter, extend, or design,  
45 | if not prohibited by law, central air-conditioning,  
46 | refrigeration, heating, and ventilating systems, including duct  
47 | work in connection with a complete system if such duct work is  
48 | performed by the contractor as necessary to complete an air-  
49 | distribution system, boiler and unfired pressure vessel systems,  
50 | and all appurtenances, apparatus, or equipment used in

51 connection therewith, and any duct cleaning and equipment  
52 sanitizing that requires at least a partial disassembling of the  
53 system; to install, maintain, repair, fabricate, alter, extend,  
54 or design, if not prohibited by law, piping, insulation of  
55 pipes, vessels and ducts, pressure and process piping, and  
56 pneumatic control piping; to replace, disconnect, or reconnect  
57 power wiring on the line or load side of the dedicated existing  
58 electrical disconnect switch on single phase electrical systems;  
59 to repair or replace power wiring, disconnects, breakers, or  
60 fuses for dedicated HVAC circuits with proper use of a circuit  
61 breaker lock; to install, disconnect, and reconnect low voltage  
62 heating, ventilating, and air-conditioning control wiring; and  
63 to install a condensate drain from an air-conditioning unit to  
64 an existing safe waste or other approved disposal other than a  
65 direct connection to a sanitary system. The scope of work for  
66 such contractor also includes any excavation work incidental  
67 thereto, but does not include any work such as liquefied  
68 petroleum or natural gas fuel lines within buildings, except for  
69 disconnecting or reconnecting changeouts of liquefied petroleum  
70 or natural gas appliances within buildings; potable water lines  
71 or connections thereto; sanitary sewer lines; swimming pool  
72 piping and filters; or electrical power wiring. A Class A air-  
73 conditioning contractor may test and evaluate central air-  
74 conditioning, refrigeration, heating, and ventilating systems,  
75 including duct work; however, a mandatory licensing requirement

76 | is not established for the performance of these specific  
 77 | services.

78 |       (g) "Class B air-conditioning contractor" means a  
 79 | contractor whose services are limited to 25 tons of cooling and  
 80 | 500,000 Btu of heating in any one system in the execution of  
 81 | contracts requiring the experience, knowledge, and skill to  
 82 | install, maintain, repair, fabricate, alter, extend, or design,  
 83 | if not prohibited by law, central air-conditioning,  
 84 | refrigeration, heating, and ventilating systems, including duct  
 85 | work in connection with a complete system only to the extent  
 86 | such duct work is performed by the contractor as necessary to  
 87 | complete an air-distribution system being installed under this  
 88 | classification, and any duct cleaning and equipment sanitizing  
 89 | that requires at least a partial disassembling of the system; to  
 90 | install, maintain, repair, fabricate, alter, extend, or design,  
 91 | if not prohibited by law, piping and insulation of pipes,  
 92 | vessels, and ducts; to replace, disconnect, or reconnect power  
 93 | wiring on the line or load side of the dedicated existing  
 94 | electrical disconnect switch on single phase electrical systems;  
 95 | to repair or replace power wiring, disconnects, breakers, or  
 96 | fuses for dedicated HVAC circuits with proper use of a circuit  
 97 | breaker lock; to install, disconnect, and reconnect low voltage  
 98 | heating, ventilating, and air-conditioning control wiring; and  
 99 | to install a condensate drain from an air-conditioning unit to  
 100 | an existing safe waste or other approved disposal other than a

101 direct connection to a sanitary system. The scope of work for  
102 such contractor also includes any excavation work incidental  
103 thereto, but does not include any work such as liquefied  
104 petroleum or natural gas fuel lines within buildings, except for  
105 disconnecting or reconnecting changeouts of liquefied petroleum  
106 or natural gas appliances within buildings; potable water lines  
107 or connections thereto; sanitary sewer lines; swimming pool  
108 piping and filters; or electrical power wiring. A Class B air-  
109 conditioning contractor may test and evaluate central air-  
110 conditioning, refrigeration, heating, and ventilating systems,  
111 including duct work; however, a mandatory licensing requirement  
112 is not established for the performance of these specific  
113 services.

114 (i) "Mechanical contractor" means a contractor whose  
115 services are unlimited in the execution of contracts requiring  
116 the experience, knowledge, and skill to install, maintain,  
117 repair, fabricate, alter, extend, or design, if not prohibited  
118 by law, central air-conditioning, refrigeration, heating, and  
119 ventilating systems, including duct work in connection with a  
120 complete system if such duct work is performed by the contractor  
121 as necessary to complete an air-distribution system, boiler and  
122 unfired pressure vessel systems, lift station equipment and  
123 piping, and all appurtenances, apparatus, or equipment used in  
124 connection therewith, and any duct cleaning and equipment  
125 sanitizing that requires at least a partial disassembling of the

126 system; to install, maintain, repair, fabricate, alter, extend,  
127 or design, if not prohibited by law, piping, insulation of  
128 pipes, vessels and ducts, pressure and process piping, pneumatic  
129 control piping, gasoline tanks and pump installations and piping  
130 for same, standpipes, air piping, vacuum line piping, oxygen  
131 lines, nitrous oxide piping, ink and chemical lines, fuel  
132 transmission lines, liquefied petroleum gas lines within  
133 buildings, and natural gas fuel lines within buildings; to  
134 replace, disconnect, or reconnect power wiring on the line or  
135 load side of the dedicated existing electrical disconnect switch  
136 on single phase electrical systems; to repair or replace power  
137 wiring, disconnects, breakers, or fuses for dedicated HVAC  
138 circuits with proper use of a circuit breaker lock; to install,  
139 disconnect, and reconnect low voltage heating, ventilating, and  
140 air-conditioning control wiring; and to install a condensate  
141 drain from an air-conditioning unit to an existing safe waste or  
142 other approved disposal other than a direct connection to a  
143 sanitary system. The scope of work for such contractor also  
144 includes any excavation work incidental thereto, but does not  
145 include any work such as potable water lines or connections  
146 thereto, sanitary sewer lines, swimming pool piping and filters,  
147 or electrical power wiring. A mechanical contractor may test and  
148 evaluate central air-conditioning, refrigeration, heating, and  
149 ventilating systems, including duct work; however, a mandatory  
150 licensing requirement is not established for the performance of

151 | these specific services.

152 |       Section 2. Section 559.956, Florida Statutes, is amended  
153 | to read:

154 |       559.956 ~~Registrations and~~ Transfers of heating,  
155 | ventilation, and air-conditioning system manufacturer  
156 | warranties; ~~required contractor documentation.~~

157 |       (1) If a residential real property that includes a  
158 | heating, ventilation, and air-conditioning (HVAC) system as a  
159 | fixture to the property is conveyed to a new owner on or after  
160 | July 1, 2024, a manufacturer's warranty in effect on that system  
161 | or a component of that system:

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

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

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

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

171 |       (4) A manufacturer's warranty of a HVAC system or a  
172 | component of the system may not be in any way conditioned upon  
173 | the product registration.

174 |       (5) This section applies if:

175 |           (a) A sale of a residential property that includes an HVAC

176 system as a fixture to the property occurs on or after July 1,  
 177 2024.

178 (b) A manufacturer's warranty is still in effect on the  
 179 HVAC system or a component of the system.

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

183 ~~(a) Installs the new HVAC system; and~~

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

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

193 Section 3. Section 559.957, Florida Statutes, is created  
 194 to read:

195 559.957 Registration of heating, ventilation, and air-  
 196 conditioning systems; prohibition against warranty conditioned  
 197 upon registration.—

198 (1) The full length of a manufacturer's, distributor's, or  
 199 retailer's warranty of a heating, ventilation, and air-  
 200 conditioning (HVAC) system or any component of the system is



201 effective in this state on the date of installation if installed  
202 by a contractor licensed under part I of chapter 489.

203 (2) If a manufacturer, distributor, or retailer of a HVAC  
204 system or any component of the system provides a warranty or  
205 product registration card or form, or an electronic, online  
206 warranty or product registration form, the card or form must  
207 contain the following information, displayed in a clear and  
208 conspicuous manner:

209 (a) The card or form is for the product registration.

210 (b) Failure to complete and return the card or form does  
211 not diminish any warranty rights or decrease the warranty  
212 length.

213 (3) Any offered manufacturer's, distributor's, or  
214 retailer's warranty of a HVAC system or a component of the  
215 system may not be in any way conditioned upon the product  
216 registration.

217 Section 4. This act shall take effect July 1, 2024.