

By Mr. Lapointe of Chicopee, petition of Francis C. Lapointe, Edward A. McColgan, Alan D. Sisitsky and David C. Ahearn that manufacturers, distributors or retailers of goods or merchandise be required to file warranties and guarantees with the Consumers' Council. Commerce and Labor.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy.

AN ACT REQUIRING THE FILING OF WARRANTIES AND/OR GUARANTEES WITH THE CONSUMERS' COUNCIL.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 93A of the General Laws is hereby
2 amended by adding after section 8 the following section:—

3 *Section 9.* 1. The manufacturer, distributor or retailer of any
4 goods or merchandise sold for consumer use in the commonwealth
5 shall be required to file with the Consumers' Council annually at
6 its office in Boston on or before January first certified copies of
7 all warranties or guarantees issued by any manufacturer, dis-
8 tributor or retailer of such goods or merchandise.

9 2. Any amendments to such warranties or guarantees must
10 be filed within thirty days after their effective date.

11 3. Each warranty or guarantee so filed shall be accompanied
12 with a fee of twenty-five dollars payable to the order of the
13 "Commonwealth of Massachusetts".

14 4. The warranties and guarantees so filed with the Consumers'
15 Council shall be used for the purpose of consumer research and
16 education in accordance with the Statute of the Consumers'
17 Council (Chapter six, section one hundred and fifteen).

18 5. The fact of filing such warranties and guarantees cannot be
19 used as an indication of approval or disapproval of such war-
20 ranties or guarantees so filed nor shall such filing be construed
21 as modifying any implied warranties of merchantability and
22 fitness of any product.

23 6. The failure to file any such warranty or guarantee shall be
24 deemed to be an unfair and deceptive trade practice act and
25 violation of chapter ninety-three A and any such failure to file
26 shall constitute prima facie evidence of breach of such warranty
27 or guarantee.

1 SECTION 2. This act shall take effect on July first, nineteen
2 hundred and seventy-one.