

114TH CONGRESS
1ST SESSION

S. 1038

To clarify that no express or implied warranty is provided by reason of a disclosure relating to voluntary participation in the Energy Star program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 22, 2015

Mr. RISCH introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To clarify that no express or implied warranty is provided by reason of a disclosure relating to voluntary participation in the Energy Star program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Energy Star Program
5 Integrity Act”.

6 **SEC. 2. NO WARRANTY.**

7 Section 324A of the Energy Policy and Conservation
8 Act (42 U.S.C. 6294a) is amended by adding at the end
9 the following:

1 “(e) NO WARRANTY.—

2 “(1) IN GENERAL.—Any disclosure relating to
3 participation of a product in the Energy Star pro-
4 gram shall not create an express or implied warranty
5 or give rise to any private claims or rights of action
6 under Federal or State law relating to the disquali-
7 fication of that product from Energy Star if—

8 “(A) the product has been certified by a
9 certification body recognized by the Energy
10 Star program;

11 “(B) the Administrator has approved cor-
12 rective measures, including a determination of
13 whether consumer compensation is appropriate;
14 and

15 “(C) the responsible party has fully com-
16 plied with all approved corrective measures.

17 “(2) NO ACTION BY ADMINISTRATOR NEC-
18 ESSARY.—Nothing in this subsection requires the
19 Administrator to modify any procedure or take any
20 other action.”.

○