

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

HOUSE BILL 1861

5 By: Representatives Payton, Bentley, Lundstrum, Miller, Scott, B. Smith, Wing
6 By: Senators Irvin, B. Ballinger, Beckham, Bledsoe, Caldwell, L. Chesterfield, A. Clark, B. Davis, J.
7 Dismang, L. Eads, Elliott, J. English, Flippo, T. Garner, Gilmore, K. Hammer, J. Hendren, Hill, K.
8 Ingram, B. Johnson, M. Johnson, G. Leding, Rapert, Rice, B. Sample, G. Stubblefield, J. Sturch, D.
9 Sullivan, Teague, C. Tucker, D. Wallace

For An Act To Be Entitled

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11
12 AN ACT TO CREATE THE CLIMATE REGULATORY ARKANSAS
13 PLUMBING ACT; TO CREATE A CERTIFIED CLIMATE
14 REGULATORY PLUMBING PLUMBER INSPECTOR; TO CREATE THE
15 CLIMATE REGULATORY ARKANSAS PLUMBING OVERSIGHT
16 COMMITTEE; TO DECLARE AN EMERGENCY; AND FOR OTHER
17 PURPOSES.

Subtitle

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21 TO CREATE THE CLIMATE REGULATORY ARKANSAS
22 PLUMBING ACT; AND TO DECLARE AN
23 EMERGENCY.

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26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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28 SECTION 1. Arkansas Code Title 8, Chapter 10, is amended to add an
29 additional subchapter to read as follows:

Subchapter 5 – Climate Regulatory Arkansas Plumbing Act

8-10-501. Title.

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33 This subchapter shall be known and may be cited as the "Climate
34 Regulatory Arkansas Plumbing Act".

8-10-502. Legislative findings and intent.



1 (a) The General Assembly finds that:

2 (1) Arkansas is one (1) of only eight (8) states that allows its
 3 citizens to own and operate an outhouse;

4 (2) Outhouses are an important part of the state's
 5 infrastructure;

6 (3) There are fewer and fewer outhouses in the state each year;

7 (4) With proper maintenance and regular inspections, the
 8 greenhouse gas emissions from outhouses can be maintained at an acceptable
 9 level; and

10 (5) Additional outhouses are necessary for the annual Outhouse
 11 Races in Mountain View, Arkansas, which is one of the single most important
 12 and competitive athletic competitions in the state.

13 (b) It is the intent of the General Assembly to:

14 (1) Promote the use, maintenance, and inspection of outhouses;

15 (2) Provide for regular inspections of outhouses in the state to
 16 reduce any excess greenhouse gas emissions that could have a negative effect
 17 on the environment; and

18 (3) Promote attendance at the Outhouse Races that occur in
 19 October of each year in Mountain View, Arkansas as part of the Bean Festival.

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 21 8-10-503. Certification of Climate Regulatory Arkansas Plumbing
 22 plumber inspectors.

23 (a) The Division of Environmental Quality shall certify an applicant
 24 as a Climate Regulatory Arkansas Plumbing plumber inspector if the applicant
 25 has at least one (1) week of relevant experience in any state.

26 (b) The division shall establish the process for applying for
 27 certification under this section by rule.

28
 29 8-10-504. Climate Regulatory Arkansas Plumbing inspection requirement.

30 (a) An outhouse located in this state shall be inspected quarterly by
 31 a certified Climate Regulatory Arkansas Plumbing plumber inspector, an
 32 inspector from the Division of Environmental Quality, and an inspector from
 33 the Department of Health.

34 (b) An inspection conducted under this section shall focus on ensuring
 35 that the construction, operation, and maintenance of the outhouse is in line
 36 with division standards to prevent greenhouse gas emissions that are

1 destructive to the environment and that contribute to climate change.

2 (c)(1) An outhouse that does not meet the requirements of an
3 inspection under this section shall be decommissioned.

4 (2) An outhouse that is decommissioned under subdivision (c)(1)
5 of this section shall be sent to Stone County, Arkansas to be used in the
6 annual Outhouse Races that occur as part of the Bean Festival each October.

7 (d) The division and the department shall adopt rules to implement
8 this section.

9
10 8-10-505. Climate Regulatory Arkansas Plumbing Oversight Committee.

11 (a) There is created the Climate Regulatory Arkansas Plumbing
12 Oversight Committee.

13 (b)(1) The committee shall have the following members:

14 (A) The Governor, the Honorable Asa Hutchinson;

15 (B) The Speaker of the House of Representatives, the
16 Honorable Matthew Shepherd;

17 (C) The President Pro Tempore of the Senate, the Honorable
18 Jimmy Hickey; and

19 (D) The persons elected in the future to the offices of
20 Governor, Speaker of the House of Representatives, and President Pro Tempore
21 of the Senate.

22 (2) Because of the overwhelming need to provide continuity and
23 special expertise in oversight of Climate Regulatory Arkansas Plumbing
24 inspections, the members listed in subdivision (b)(1)(A)-(C) of this section
25 shall serve in perpetuity.

26 (3) The members identified in subdivision (b)(1)(D) of this
27 section shall serve on the committee while they hold the specified office.

28 (c) The committee shall:

29 (1) Ensure that all quarterly inspections conducted under this
30 subchapter are completely in a timely manner;

31 (2) Monitor greenhouse gas emissions from outhouses in the
32 state; and

33 (3) Report annually to the Legislative Council regarding the
34 committee's findings and recommendations for:

35 (A) Improving the number and operation of outhouses in the
36 state;

1 (B) Reducing greenhouse gas emissions from outhouses; and
 2 (C) Increasing attendance at the annual Outhouse Races in
 3 Mountain View, Arkansas.

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 5 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
 6 General Assembly of the State of Arkansas that outhouses that lack proper
 7 maintenance and inspection can result in greenhouse gas emissions that
 8 negatively affect our environment and may contribute to climate change; that
 9 with the immediate implementation of an inspection process, the state can
 10 regulate and promote the use of outhouses; that there is currently an
 11 inadequate number of outhouses in the state; and that this act is immediately
 12 necessary because there is an urgent need for additional outhouses in the
 13 state to race down Main Street in Mountain View, Arkansas during the Bean
 14 Festival each year, and there is no better time to address this need than on
 15 April 1. Therefore, an emergency is declared to exist, and this act being
 16 immediately necessary for the preservation of the public peace, health, and
 17 safety shall become effective on:

18 (1) The date of its approval by the Governor;

19 (2) If the bill is neither approved nor vetoed by the Governor,
 20 the expiration of the period of time during which the Governor may veto the
 21 bill; or

22 (3) If the bill is vetoed by the Governor and the veto is
 23 overridden, the date the last house overrides the veto.

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 25 HAPPY APRIL FOOLS' DAY!
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