

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

A Bill

SENATE BILL 259

5 By: Senator Bledsoe
6 By: Representative Bryant
7

For An Act To Be Entitled

9 AN ACT TO AUTHORIZE THE LICENSURE OF STATE AND LOCAL
10 GOVERNMENT HEATING, VENTILATION, AIR CONDITIONING,
11 AND REFRIGERATION INSPECTORS; TO CORRECT REFERENCES
12 TO THE APPROPRIATE CABINET-LEVEL DEPARTMENT; AND FOR
13 OTHER PURPOSES.
14

Subtitle

15
16 TO AUTHORIZE THE LICENSURE OF STATE AND
17 LOCAL GOVERNMENT HEATING, VENTILATION,
18 AIR CONDITIONING, AND REFRIGERATION
19 INSPECTORS; AND TO CORRECT REFERENCES TO
20 THE APPROPRIATE CABINET-LEVEL DEPARTMENT.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code § 17-33-101 is amended to read as follows:

27 17-33-101. Definitions.

28 As used in this chapter:

29 ~~(1) “Board” means the HVACR Licensing Board;~~

30 ~~(2)~~(1) “BTUH” means British Thermal Unit per hour of heat;

31 ~~(3) “Department” means the Department of Health;~~

32 ~~(4) “Director” means the Director of the Department of Health;~~

33 ~~(5)~~(2) “Heating and air conditioning” means the process of
34 treating air to control temperature, humidity, cleanliness, ventilation, or
35 circulation to meet human comfort requirements;

36 ~~(6)~~(3) “Heating, ventilation, air conditioning, and



1 refrigeration” or “HVACR” means the design, installation, construction,
 2 maintenance, service, repair, alteration, or modification of a product or of
 3 equipment in heating and air conditioning, refrigeration, ventilation, or
 4 process cooling or heating systems;

5 ~~(7)~~(4) “Horsepower” means the equivalent to seven hundred forty-
 6 six (746) watts;

7 ~~(8)~~(5) “HVACR gas fitting work” means gas fitting work for the
 8 purpose of supplying an HVACR system and shall be limited to installing six
 9 feet (6’) or less final of gas piping connection to a heating unit from an
 10 existing, accessible manual safety shutoff gas cock, installing flue gas
 11 vents and combustion air for the HVACR system;

12 ~~(9)~~(6) “HVACR Licensing Fund” means a fund established under
 13 this chapter to be used exclusively to fund all activities covered under this
 14 chapter;

15 ~~(10)~~(7)(A) “HVACR maintenance work” means repair, modification,
 16 service, and all other work required for the normal continued performance of
 17 an HVACR system.

18 (B) "HVACR maintenance work" ~~This term~~ does not include
 19 the installation or total replacement of a system or the installation of
 20 boiler or pressure vessels that must be installed by persons licensed under §
 21 20-23-101 et seq.;

22 ~~(11)~~(8) “Licensee” means the holder of a license issued pursuant
 23 to this chapter;

24 ~~(12)~~(9) “One ton” means twelve thousand (12,000) BTUH;

25 ~~(13)~~(10) “Persons” means any individual, firm, partnership,
 26 copartnership, corporation, association, cooperative, or any other
 27 association or combination thereof;

28 ~~(14)~~(11) “Public entity” means any agency of the State of
 29 Arkansas or any political subdivision of the state;

30 ~~(15)~~(12) “Refrigeration” means the use of mechanical or
 31 absorption equipment to control temperature or humidity, or both, in order to
 32 satisfy the intended use of a specific space other than for human comfort;

33 ~~(16)~~(13) “Registrant” means a person who:

34 (A) Does not hold a Class A, Class B, Class C, Class D, or
 35 Class E HVACR license;

36 (B) Can only perform work for an HVACR licensee; and

- 1 (C) Holds a current HVACR registration;
- 2 ~~(17)~~(14) "Repair" means the reconstruction or replacement of any
- 3 part of an existing HVACR system for the purpose of its maintenance;
- 4 ~~(18)~~(15) "Subcontractor" means a person who performs a portion
- 5 of the HVACR installation; and
- 6 ~~(19)~~(16) "Ventilation" means the process of supplying or
- 7 removing air by natural or mechanical means to or from any space.

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9 SECTION 2. Arkansas Code § 17-33-202 is amended to read as follows:

10 17-33-202. Powers and duties.

11 The HVACR Licensing Board may:

- 12 (1) Adopt ~~certain~~ rules to ensure the proper administration and
- 13 enforcement of this chapter;
- 14 (2) Adopt a mechanical code and standards for the conduct of
- 15 HVACR work;
- 16 (3) Assist and advise the Department of Labor and Licensing on
- 17 all matters related to the licensing of HVACR maintenance work;
- 18 (4) Conduct hearings on all matters related to the licensing and
- 19 inspection of HVACR work;
- 20 (5) Establish HVACR code inspection programs, including the
- 21 licensure of state and local government HVACR inspectors;
- 22 (6) Conduct investigations into the qualifications of applicants
- 23 for licensure at the request of the department;
- 24 (7) Review applications for examination for a Class A, Class B,
- 25 Class C, Class D, Class E, ~~and~~ Class L, and Class T license;
- 26 (8) Establish by board rule a minimum level of general liability
- 27 insurance coverage for a license if the board determines that a specific
- 28 class of license requires insurance coverage;
- 29 (9) Assist and advise the department in other such matters as
- 30 requested by the department; and
- 31 (10) Establish fees for the proper administration of the
- 32 requirements of this chapter.

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34 SECTION 3. Arkansas Code § 17-33-204(b), concerning fees for licensure

35 and registration under the HVACR Licensing Board, is amended to read as

36 follows:

1 (b) Until a fee schedule is established by the board, the licensure
2 and registration fees shall be as follows:

3	Class A License.....	\$200.00
4	Class B License.....	150.00
5	Class C License.....	100.00
6	Class D License.....	150.00
7	Class E License.....	150.00
8	Class L License.....	No Charge
9	<u>Class T License.....</u>	<u>25.00</u>
10	Registration Fee.....	25.00.

11
12 SECTION 4. Arkansas Code § 17-33-302(a)(2), concerning the
13 qualifications for an HVACR license, is amended to read as follows:

14 (2) Make application to the ~~Department of Health~~ Department of
15 Labor and Licensing on forms prescribed by the HVACR Licensing Board;

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17 SECTION 5. Arkansas Code § 17-33-303(c)(1), concerning classes of
18 licenses, is amended to read as follows:

19 (c)(1) An individual may perform HVACR work under a Class A, Class B,
20 Class C, Class D, or Class E HVACR license holder by registering with the
21 ~~Department of Health~~ Department of Labor and Licensing.

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23 SECTION 6. Arkansas Code § 17-33-303, concerning classes of licenses,
24 is amended to add an additional subsection to read as follows:

25 (d) A person employed as a HVACR inspector in this state shall hold a
26 HVACR inspector license issued by the board as a Class T license.