

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

HOUSE BILL 1440

5 By: Representative Cozart
6 By: Senator J. Petty
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING PROHIBITIONS AND
10 LIMITATIONS ON THE USE OF CERTAIN REFRIGERANTS; TO
11 AMEND THE POWERS OF MUNICIPAL CORPORATIONS IN
12 RELATION TO THE REGULATION OF CERTAIN REFRIGERANTS;
13 TO AMEND THE POWERS AND DUTIES OF THE HVACR LICENSING
14 BOARD IN RELATION TO THE REGULATION OF CERTAIN
15 REFRIGERANTS; AND FOR OTHER PURPOSES.
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Subtitle

19 TO AMEND THE LAW CONCERNING PROHIBITIONS
20 AND LIMITATIONS ON THE USE OF CERTAIN
21 REFRIGERANTS; AND TO AMEND THE POWERS OF
22 MUNICIPAL CORPORATIONS AND THE HVACR
23 LICENSING BOARD IN RELATION TO THE
24 REGULATION OF CERTAIN REFRIGERANTS.
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27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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29 SECTION 1. Arkansas Code § 14-56-201(1), concerning the powers of
30 municipal corporations, is amended to read as follows:

31 (1)(A) Regulate ~~Regulate~~ Except as provided in subdivision (1)(B) of this
32 section, regulate the erection, construction, reconstruction, alteration, and
33 repair of buildings.

34 (B) A municipal corporation shall not prohibit or limit
35 the use of a refrigerant designated as acceptable for use in accordance with
36 42 U.S.C. § 7671k, as it existed on January 1, 2023, if the equipment



1 containing the refrigerant is listed and installed in accordance with the
2 safety standards and use conditions established in accordance with 40 C.F.R.
3 § 82.170, as it existed on January 1, 2023;
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5 SECTION 2. Arkansas Code § 17-33-202(2), concerning the powers and
6 duties of the HVACR Licensing Board, is amended to read as follows:

7 (2)(A) ~~Adopt~~ Except as provided in subdivision (2)(B) of this
8 section, adopt a mechanical code and standards for the conduct of HVACR work.

9 (B) A mechanical code or standard adopted under
10 subdivision (2)(A) of this section shall not prohibit or limit the use of a
11 refrigerant designated as acceptable for use in accordance with 42 U.S.C. §
12 7671k, as it existed on January 1, 2023, if the equipment containing the
13 refrigerant is listed and installed in accordance with the safety standards
14 and use conditions established in accordance with 40 C.F.R. § 82.170, as it
15 existed on January 1, 2023;
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