

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

As Engrossed: H3/8/23

# 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.  
16  
17

## 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.  
25  
26

27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
28

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 – 82.184, as they existed on January 1, 2023;  
4

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 –  
15 82.184, as they existed on January 1, 2023;

16  
17 /s/Cozart  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36