

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas  
93rd General Assembly  
Regular Session, 2021

# A Bill

HOUSE BILL 1861

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

## For An Act To Be Entitled

AN ACT TO CREATE THE CLIMATE REGULATORY ARKANSAS PLUMBING ACT; TO CREATE A CERTIFIED CLIMATE REGULATORY PLUMBING PLUMBER INSPECTOR; TO CREATE THE CLIMATE REGULATORY ARKANSAS PLUMBING OVERSIGHT COMMITTEE; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

## Subtitle

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

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

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

### Subchapter 5 – Climate Regulatory Arkansas Plumbing Act

#### 8-10-501. Title.

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

#### 8-10-502. Legislative findings and intent.



(a) The General Assembly finds that:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

destructive to the environment and that contribute to climate change.

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

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

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

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

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

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

(A) The Governor, the Honorable Asa Hutchinson;

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

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

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

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

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

(c) The committee shall:

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

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

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

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

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

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

- (1) The date of its approval by the Governor;
- (2) If the bill is neither approved nor vetoed by the Governor,  
the expiration of the period of time during which the Governor may veto the  
bill; or
- (3) If the bill is vetoed by the Governor and the veto is  
overridden, the date the last house overrides the veto.

HAPPY APRIL FOOLS' DAY!