

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

SENATE BILL 259

By: Senator Bledsoe
By: Representative Bryant

For An Act To Be Entitled

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

Subtitle

TO AUTHORIZE THE LICENSURE OF STATE AND LOCAL GOVERNMENT HEATING, VENTILATION, AIR CONDITIONING, AND REFRIGERATION INSPECTORS; AND TO CORRECT REFERENCES TO THE APPROPRIATE CABINET-LEVEL DEPARTMENT.

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

SECTION 1. Arkansas Code § 17-33-101 is amended to read as follows:

17-33-101. Definitions.

As used in this chapter:

~~(1) "Board" means the HVACR Licensing Board;~~

~~(2)~~(1) "BTUH" means British Thermal Unit per hour of heat;

~~(3) "Department" means the Department of Health;~~

~~(4) "Director" means the Director of the Department of Health;~~

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

~~(6)~~(3) "Heating, ventilation, air conditioning, and



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The HVACR Licensing Board may:

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

SECTION 3. Arkansas Code § 17-33-204(b), concerning fees for licensure and registration under the HVACR Licensing Board, is amended to read as follows:

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

Class A License.....	\$200.00
Class B License.....	150.00
Class C License.....	100.00
Class D License.....	150.00
Class E License.....	150.00
Class L License.....	No Charge
<u>Class T License.....</u>	<u>25.00</u>
Registration Fee.....	25.00.

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

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

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

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

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

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