

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

State of Arkansas  
94th General Assembly  
Regular Session, 2023

As Engrossed: H3/8/23  
**A Bill**

HOUSE BILL 1440

By: Representative Cozart  
By: Senator J. Petty

### For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING PROHIBITIONS AND LIMITATIONS ON THE USE OF CERTAIN REFRIGERANTS; TO AMEND THE POWERS OF MUNICIPAL CORPORATIONS IN RELATION TO THE REGULATION OF CERTAIN REFRIGERANTS; TO AMEND THE POWERS AND DUTIES OF THE HVACR LICENSING BOARD IN RELATION TO THE REGULATION OF CERTAIN REFRIGERANTS; AND FOR OTHER PURPOSES.

### Subtitle

TO AMEND THE LAW CONCERNING PROHIBITIONS AND LIMITATIONS ON THE USE OF CERTAIN REFRIGERANTS; AND TO AMEND THE POWERS OF MUNICIPAL CORPORATIONS AND THE HVACR LICENSING BOARD IN RELATION TO THE REGULATION OF CERTAIN REFRIGERANTS.

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

SECTION 1. Arkansas Code § 14-56-201(1), concerning the powers of municipal corporations, is amended to read as follows:

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

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



containing the refrigerant is listed and installed in accordance with the safety standards and use conditions established in accordance with 40 C.F.R. §§ 82.170 – 82.184, as they existed on January 1, 2023;

SECTION 2. Arkansas Code § 17-33-202(2), concerning the powers and duties of the HVACR Licensing Board, is amended to read as follows:

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

(B) A mechanical code or standard adopted under subdivision (2)(A) of this section shall not prohibit or limit the use of a refrigerant designated as acceptable for use in accordance with 42 U.S.C. § 7671k, as it existed on January 1, 2023, if the equipment containing the refrigerant is listed and installed in accordance with the safety standards and use conditions established in accordance with 40 C.F.R. §§ 82.170 – 82.184, as they existed on January 1, 2023;

*/s/Cozart*