

HB 3227 -1 STAFF MEASURE SUMMARY

House Committee On Housing

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Meeting Dates: 4/8, 4/13

WHAT THE MEASURE DOES:

Directs Oregon Housing and Community Services Department to study issues relating to adequacy of buildings in this state and report to appropriate committee or interim committee of the Legislative Assembly on or before September 15, 2022.

ISSUES DISCUSSED:

- Environmental harms of hydrofluorocarbons in increasing greenhouse gas emissions
- Bill updates building code to allow for substitute “safe alternative” refrigerants approved by Environmental Protection Agency
- Federal phase down of hydrofluorocarbons does not change requirements of consumer products already in homes
- Safety standards available to update state building code and inform local code enforcement efforts by 2022

EFFECT OF AMENDMENT:

-1 Replaces the measure. Disallows Department of Consumer and Business Services from prohibiting, in state building code, the use of refrigerants listed as of January 1, 2022, under federal regulations as safe alternatives to Class I and Class II substances, provided that the safe alternatives are installed in accordance with applicable rules or regulations.

No revenue impact; minimal fiscal impact

BACKGROUND:

The state building code sets standards for the installation and use of mechanical , heating, and ventilating devices and equipment. Refrigerants are substances used in a heat cycle that transfer heat from one area and moves it to another, such as in air conditioning or heating units. Refrigerants are heavily regulated due to their toxicity, flammability, and environmental impacts.

Title 42, Section 7671k of U.S. Code describes the Safe Alternatives Policy, which states, “to the maximum extent practicable, class I and class II substances shall be replaced by chemicals, product substitutes, or alternative manufacturing processes that reduce overall risks to human health and the environment.” In 2020, Congress passed the American Innovation in Manufacturing (AIM) Act to phase down the use of hydrofluorocarbons, or HFCs, which are potent gases used in air conditioners, refrigerators, and other consumer products that have a proven negative environmental impacts when released into the atmosphere.

House Bill 3227-1 disallows the Department of Consumer and Business Services from prohibiting the use of safe alternative refrigerants in the state building code, provided that the safe alternatives meet federal regulations and installation requirements.