

**HB 3227 A STAFF MEASURE SUMMARY**

**Carrier:** Rep. Fahey

**House Committee On Housing**

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**Action Date:** 04/13/21

**Action:** Do pass with amendments. (Printed A-Eng.)

**Vote:** 8-0-0-0

**Yeas:** 8 - Campos, Fahey, Marsh, Meek, Morgan, Neron, Weber, Zika

**Fiscal:** Has minimal fiscal impact

**Revenue:** No revenue impact

**Prepared By:** Claire Adamsick, LPRO Analyst

**Meeting Dates:** 4/8, 4/13

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**WHAT THE MEASURE DOES:**

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.

**ISSUES DISCUSSED:**

- Environmental harms of hydrofluorocarbons in increasing greenhouse gas emissions
- Updating building code to allow for substitute “safe alternative” refrigerants approved by U.S. 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:**

Replaces the measure.

**BACKGROUND:**

The Department of Consumer and Business Services is responsible for adopting a state building code that 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 move 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, U.S.C. section 7671k 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 proven negative environmental impacts when released into the atmosphere.

House Bill 3227 A 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.