

ACT 57

S.B. NO. 2753

A Bill for an Act Relating to Building Codes.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that certain refrigerants, including hydrofluorocarbons, are potent greenhouse gases that can have an immense impact on global warming. The legislature further finds that the United States Congress passed the American Innovation and Manufacturing Act of 2020 that mandates an eighty-five per cent phasedown in hydrofluorocarbon refrigerants. The legislature further finds that the phasedown of hydrofluorocarbons includes restricting the use of hydrofluorocarbons in certain applications and directing the transition to hydrofluorocarbon substitutes. This phasedown of hydrofluorocarbons is expected to reduce hydrofluorocarbon emissions by approximately 2.4 billion metric tons of carbon dioxide by 2035 and avoid up to a one-half degree Celsius global temperature increase by 2100.

The legislature further finds that building codes across the country must be updated to comply with the American Innovation and Manufacturing Act of 2020 and the United States Environmental Protection Agency's rules and regulations concerning the transition to hydrofluorocarbon refrigerant alternatives. The building code updates will provide the certainty that the manufacturing in-

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dustry needs to comply with federal regulations and ensure that the transition to alternate refrigerants is safe and efficient.

The purpose of this Act is to clarify that no state or county building code shall prohibit the use of a substitute refrigerant allowed by the United States Environmental Protection Agency if the applicable equipment is listed and installed in compliance with any applicable safety standards and use conditions.

SECTION 2. Chapter 107, Hawaii Revised Statutes, is amended by adding a new section to part II to be appropriately designated and to read as follows:

“§107- Refrigerant use. No provision of the Hawaii state building codes or any county building code shall prohibit or otherwise limit the use of a refrigerant designated as acceptable for use pursuant to title 42 United States Code section 7671k; provided that any equipment containing the refrigerant shall be listed and installed in accordance with any applicable safety standards and use conditions imposed for that equipment or refrigerant.”

SECTION 3. New statutory material is underscored.¹

SECTION 4. This Act shall take effect upon its approval.

(Approved June 20, 2024.)

Note

1. Edited pursuant to HRS §23G-16.5.