

ONE HUNDRED EIGHTH LEGISLATURE - SECOND SESSION - 2024
COMMITTEE STATEMENT (CORRECTED)
LB329

Hearing Date: Tuesday March 14, 2023
Committee On: Urban Affairs
Introducer: Raybould
One Liner: Prohibit the application of the state building code in a manner that would prohibit or limit the use of certain refrigerant

Roll Call Vote - Final Committee Action:
Advanced to General File

Vote Results:

Aye: 7 Senators Blood, Cavanaugh, J., Day, Hardin, Hunt, Lowe, McKinney
Nay:
Absent:
Present Not Voting:

Testimony:

Proponents:

Senator Jane Raybould
Senator Raybould
Christopher Bresee
Ansley Fellers

Representing:

Opening Presenter
District 28
AHRI
Nebraska Grocery Industry Association

Opponents:

Representing:

Neutral:

Representing:

* ADA Accommodation Written Testimony

Summary of purpose and/or changes:

LB 329 would provide American manufacturers in the hearing, ventilation, air conditioning, and refrigeration (HVACR) industry with the certainty needed to comply with forthcoming federal regulations phasing down in the use of hydrofluorocarbons (HFCs) refrigerants.

Background & Legislative History:

In December 2020, the American Innovation and Manufacturing Act (AIM Act) was signed into law by President Trump, which directs the U.S. Environmental Protection Agency (EPA) to issue rules that will phase down the use of current refrigerants and restrict their use in certain applications (such as commercial refrigeration, chillers, and air conditioners.) This allowed for a transition to next generation refrigerant technologies.

On the state level, building codes need to be updated this year to remove regulatory barriers to the use of substitute refrigerants. LB 329 amends the state building code to allow any substitute refrigerant deemed safe under federal



standards to be used in Nebraska. This will eliminate the mismatch of the building code schedule and enable the use of new refrigerant one to two years earlier, ensuring that there is no regulatory disruption for consumers by making new products available for sale in the state of Nebraska on the same schedule as they will be available in other states.

Overall, LB 329 would eliminate a timing barrier without imposing any new regulatory standards. It allows for harmonization with the 2024 model codes benefitting consumers and businesses.

Section-by-Section Summary

Section 1 amends 71-6401 by adding a second section to the statute.

Section 2 amends 71-6401 by prohibiting any provision of the state building code from banning or limiting the use of a refrigerant designated as acceptable for use in accordance with 42 U.S.C. 7671k as of January 1, 2023, as long as any equipment with the refrigerant is installed and listed in accordance with safety standards and use conditions imposed pursuant to such designation.

Section 3 repeals the original sections.

Terrell McKinney, Chairperson

