

Chapter 723

(Senate Bill 741)

AN ACT concerning

**Public Safety – Refrigerants – Limitations on Use**

FOR the purpose of providing that, notwithstanding any other provision of law, regulation, or requirement, except for regulations issued by the Department of the Environment, no provision of the State building code or other law or regulation may prohibit or otherwise limit the use of a refrigerant ~~may not be prohibited or otherwise limited~~ if the refrigerant is designated as acceptable for use under federal listing requirements and any appliance containing the refrigerant meets federal safety standards and use conditions; and generally relating to the use of refrigerants in the State.

BY adding to  
Article – Public Safety  
Section 12–706  
Annotated Code of Maryland  
(2022 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
That the Laws of Maryland read as follows:

**Article – Public Safety**

**12–706.**

(A) IN THIS SECTION, “APPLIANCE” MEANS ANY DEVICE THAT:

(1) CONTAINS AND USES A CLASS I OR CLASS II SUBSTANCE, OR A SUBSTITUTE FOR A CLASS I OR CLASS II SUBSTANCE, AS DEFINED IN 42 U.S.C. 7671A, AS A REFRIGERANT; AND

(2) IS USED FOR A HOUSEHOLD OR COMMERCIAL PURPOSE, INCLUDING AN AIR CONDITIONER, A REFRIGERATOR, A CHILLER, OR A FREEZER.

(B) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, REGULATION, OR REQUIREMENT IN THE STATE AND EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, EXCEPT FOR REGULATIONS ISSUED BY THE DEPARTMENT OF THE ENVIRONMENT, NO PROVISION OF THE STATE BUILDING CODE OR OTHER LAW OR REGULATION MAY PROHIBIT OR OTHERWISE LIMIT THE USE OF A REFRIGERANT MAY NOT BE PROHIBITED OR OTHERWISE LIMITED BY A BUILDING CODE OR OTHER REGULATION IN THE STATE IF:

(1) THE REFRIGERANT IS DESIGNATED AS ACCEPTABLE FOR USE IN ACCORDANCE WITH 42 U.S.C. 7671k; AND

(2) ANY APPLIANCE CONTAINING THE REFRIGERANT DESIGNATED FOR ACCEPTABLE USE IS ~~LABELED, INSTALLED, SERVICED, REPAIRED, USED, AND DISPOSED OF~~ INSTALLED AND USED IN ACCORDANCE WITH THE SAFETY STANDARDS AND USE CONDITIONS UNDER 42 U.S.C. 7671k.

~~(c) THIS SECTION DOES NOT PROHIBIT THE DEPARTMENT OF THE ENVIRONMENT FROM ADOPTING REGULATIONS THAT PROHIBIT THE USE OF A REFRIGERANT.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2023.

Approved by the Governor, May 16, 2023.