



2023 STATE LEGISLATIVE PRIORITIES

Building Codes and Standards

- Encourage state and local jurisdictions to adopt, implement, and advance national consensus building energy codes that permit flexibility at the local level, while at the same time do not conflict with federal energy conservation standards.
- Encourage state and local jurisdictions to adopt and implement building codes that include updated references to federally mandated performance metrics and consensus standards.
- Support enabling the use of next generation refrigerants through safety standards adoption into codes for all applications.

Building Decarbonization

- Establish the greenhouse gas emission reduction goal, or desired end-state (e.g., emission reduction goal – how much, by when, considering the importance of incremental gains) by engaging with all stakeholders to identify and address opportunities and concerns.
 - The goal and steps to achieve that goal must be evaluated as being technically feasible and economically justified.
- The initial carbon reduction policies should focus on:
 - Reducing the heating and cooling load by improving structures and providing incentives to help those who cannot afford the cost of these improvements, especially in existing building stock.
 - Encouraging pro-active replacement of lower efficiency equipment and, where appropriate and cost effective, the installation of dual fuel systems, including incentives for low- and medium-income households and small businesses.
- Establish different policies for new construction and replacements
 - For new construction:
 - Reflect current best construction practices
 - Recognize that none of us knows what the future of technology will hold; therefore, all policies should be performance-based and allow for adaptability.
 - For existing structures:
 - Require cost effective improvements to reduce heating and cooling loads and encourage installation of energy efficient equipment.
 - Set policies with the understanding that most replacements occur in emergency situations -- no heating, cooling, or hot water – so consumers will demand the most expedient solution, usually a like-for-like replacement, unless they can make changes with minimal additional upfront costs.
- Address equity and environmental justice concerns through tax credits and utility rebates.

Chemicals Policy

- Oppose regulatory and legislative efforts to ban the use of chlorocarbons as a refrigerant feedstock or where trace amounts of the chlorocarbon remain in a refrigerant after it is consumed or transformed in a closed system.

- Oppose policies that limit refrigerant choice.
- Monitor policies impacting refrigerant chlorocarbon emissions in manufacturing.
- Monitor hazardous waste definitions to ensure recovered refrigerant and reclaim are excluded.
- Support defining PFAS in state legislation and policy as meaning non-polymeric perfluoroalkyl and polyfluoroalkyl substances that are a group of man-made chemicals that contain at least 2 fully fluorinated carbon atoms, excluding gases and volatile liquids. “PFAS” includes Perfluorooctanoic Acid (PFOA) and Perfluorooctyl Sulfonate (PFOS) or defer to the U.S. Environmental Protection Agency’s (EPA) definition.
- Oppose state legislation and policy that defines PFAS as containing a single fully fluorinated carbon atom, due to inadvertently including short-lived chemicals, including some refrigerants and the use of this definition in requirements related to articles.

Corporate Climate and Sustainability Policy

- Monitor legislative proposals that may impact corporate Environmental, Social, and Governance (ESG) commitments or Sustainable Development Goals (SDGs), including climate or emissions disclosure policies.

Cybersecurity and Data Privacy

- Encourage consistent state data privacy policies and practices that ensure the proper handling of data through inclusion of industry best practices, self-regulation, and market-based solutions.
- Oppose state cybersecurity policies that do not include clear compliance pathways and those that expose manufacturers to undue liability.
- Support state cybersecurity policies that encourage innovation among manufacturers and rely on voluntary, industry-led best practices aimed at ensuring products are secure and safe from the threat of hacking or malfeasance.
- Support defining “reasonable security feature” as compliance via any one of the following: (1) consensus standards, including ANSI/UL/CSA 2900 or ANSI/CTA 2088; (2) a security rating from a certified body; (3) design features based on recognized guidelines, or NIST standards or guidelines.
- Oppose inclusion of a private right of action.
- Support harmonization with existing state laws and include federal preemption provision.

Demand Response

- Support demand response programs and policies that encourage innovation and preserve the ability of manufacturers and consumers to utilize the best available technology.
- Support harmonization of demand response programs and policies with existing regulations and requirements at both the state and federal level, including the ENERGY STAR program.
- Support inclusion of *AHRI Standard 1380 – Demand Response through Variable Capacity HVAC Systems in Residential and Small Commercial Applications* and *AHRI Standard 1430 – Demand Response for Electric and Heat Pump Water Heaters* when states or utilities implement demand response programs and policies that target residential and/or small commercial HVAC or water heating systems, as applicable.

Energy Efficiency Program Funding

- Support state funding for utility-run energy efficiency programs.
- Work with state legislators, regulatory bodies, and the utility industry to support programs that would incentivize consumers to replace older, less efficient HVACR and water heating equipment with newer, more efficient equipment.

- Support legislative and regulatory actions seeking to provide financial incentives for the purchase and/or installation of energy efficient product and equipment, including low global warming potential refrigerants in 2023 and 2024.

Energy Infrastructure

- Promote the responsible development and use of all energy sources and encourage energy efficiency measures aimed at meeting future energy demands.
- Support state policies that encourage clean, reliable energy sources that provide the power necessary for AHRI members' equipment to operate efficiently and as intended, with minimal impact to the environment, and on an affordable and consistent basis for customers.
- Support state policies that promote energy storage that will make better use of the electric grid and lower costs to customers.
- Support legislation increasing research and incentives for hydrogen in methane supply to improve the natural gas grid.

Energy Standards/Programs

- Ensure that energy efficiency standards and building codes for HVACR and water heating equipment are uniform throughout the United States.
- Ensure that energy efficiency standards and building codes for HVAC and water heating equipment do not conflict with federal requirements and do not violate the Energy Policy and Conservation Act's preemption provision.
- Encourage state and local jurisdictions to update legislative and regulatory language that accurately reflects current energy efficiency standards and performance metrics being used to measure product efficiency.

Hydrofluorocarbon Policy Harmonization

- Support and promote policies that eliminate state legislative and regulatory requirements for hydrofluorocarbons (HFCs) that are regulated by the Environmental Protection Agency, including administrative requirements such as labeling, recordkeeping, and reporting.
- Support harmonization of state disclosure and reporting requirements. Maintain flexible disclosure options and limit to self-reporting and recordkeeping for audit only.
- Support and promote state actions to increase the use of recovery and reclaim.

Indoor Air Quality

- Monitor state proposals that mandate indoor air quality requirements.
- Support harmonization for minimum indoor air quality requirements with current ASHRAE Standard 62.1, ASHRAE 62.2 and ASHRAE 170 where applicable.
- Support incentives for adoption of best available technologies for improving indoor air quality.
- Support funding opportunities for ventilation and HVACR upgrades for buildings, including schools and government buildings.

Permitting Compliance

- Support statewide online permitting systems that streamline the permit application process and reduce barriers to permitting compliance.
- Oppose the collection of manufacturer's serial numbers via a serial number tracking, digital tracking, or state registry as a method of attempting to increase permitting compliance.
- Support proper installation and maintenance of HVACR and water heating equipment.

- Encourage states to adopt and provide a uniform training program that reviews applicable laws and regulations, permit compliance process, and contractors' and technicians' duties and responsibilities to the consumer.

Plastics, Packaging, and Recycling

General Plastics and Recycling Requirements

- Support policies that expand recycling infrastructure and programs that encourage viable and sustainable reuse and recycling.
- Oppose proposals that place the burden of reducing or eliminating plastics, single-use packaging, and end-of-life recycling management only on manufacturers.
- Oppose efforts to ban single-use packaging that is used to store or transport manufacturers' products (i.e., non-consumer-oriented, transport or tertiary packaging).
- Support proposals that include exemptions for non-consumer-oriented, transport or tertiary packaging.
- Oppose proposals that require 100% recyclable content in non-consumer-oriented packaging, as some single-use plastics and packaging materials are necessary for the protection of products and recycling options are limited.
- Encourage policies that include reasonable source reduction requirements that differentiate between point-of-purchase and non-consumer-oriented packaging.
- Educate policymakers about the need for balance between source reduction and the importance of preventing damage to products.

Extended Producer Responsibility

Scope and Funding Mechanisms

- Support limiting the scope of EPR proposals to solely rigid and flexible plastic materials.
- Support EPR proposals that share the financial and management responsibilities of implementing EPR programs across the distribution chain.
- Support EPR proposals that would implement a nominal fixed fee per unit of packaging funding structure in order to streamline compliance and provide manufacturers with regulatory certainty.
- Support funding EPR programs through implementation of a retail product/package and disposal fee (i.e., a non-refundable recycling fee) at the final point of sale.
- Support the inclusion of language that preempts local laws and ordinances that are inconsistent with, more restrictive than, or exceed the requirements of a state EPR law, and support federal preemption if a national EPR framework is implemented.

Regulatory Flexibility and Critical Use Exemptions

- When developing recycled content and post-consumer recycled content targets, support inclusion of language that allows for regulatory flexibility based on factors such as availability of recycled content, suitability of recycled content for necessary uses, and the environmental impacts of material substitutes.
- Support inclusion of language that creates a process for requesting an exemption for specific materials that are critical to the safe and efficient storage and transport of products.
- Support exemptions for materials intended to be used for the long-term storage or protection of a durable product, that is intended to transport, protect, or store the product on an ongoing basis and that can be expected to be usable and/or reusable for that purpose for an extended period of time.
- Support inclusion of exemptions for de minimis and integral packaging components.

- Support inclusion of an alternate compliance pathway for producers that can demonstrate they have programs or practices in place that achieve the same policy objectives.
- Support legislation distinguishing between non-consumer-oriented packaging and point-of-purchase packaging.
- Oppose material bans and/or recycled/post-consumer recycled content requirements that are imposed any sooner than five years from the effective date.

Right to Repair

- Ensure right to repair legislation is limited in scope and does not include HVACR and/or water heating products in the definition of eligible equipment.

Warranty

- Oppose state policies that interfere with or eliminate manufacturers' warranty processes and programs and/or their relationships with contractors.
- Oppose state policies that limit a consumer's ability to choose the warranty coverage that meets their personal and financial needs.
- Educate policymakers about the importance of manufacturer warranty registration requirements.

Workforce

- Support state and local policies that encourage schools to offer a diverse array of career and technical education (CTE) programs, including industry-recognized certification programs.
- Support state and local policies aimed at developing and expanding a skilled workforce through Science, Technology, Engineering, and Mathematics (STEM) retention programs for students who indicate an interest in a STEM career field.
- Work with industry partners at the state level to promote quality installation and maintenance of HVACR and water heating equipment. Ensure that repairs and maintenance are being completed by qualified, licensed contractors.