



State of Wisconsin  
2023 - 2024 LEGISLATURE

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**SENATE SUBSTITUTE AMENDMENT 1,  
TO SENATE BILL 324**

September 21, 2023 - Offered by Senator TOMCZYK.

- 1 **AN ACT to create** 101.02 (1r) and 101.02 (7m) of the statutes; **relating to:**  
2 building code restrictions on the use of certain refrigerants.

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***Analysis by the Legislative Reference Bureau***

Current law requires the Department of Safety and Professional Services to promulgate rules establishing standards for the construction of certain types of buildings (commonly known as “building codes”). Current law also provides that the powers of DSPS do not deprive local units of government of their power or jurisdiction over any place of employment or public building.

Current federal law provides that, to the extent practicable, certain ozone-depleting substances must be replaced by chemicals, product substitutes, or alternative manufacturing processes that reduce risks to human health and the environment. The U.S. Environmental Protection Agency is required to promulgate administrative rules identifying acceptable alternatives to these ozone-depleting substances.

This bill prohibits DSPS from promulgating any rule establishing building codes that prohibit or limit the use of a refrigerant that the EPA has designated as acceptable for use. The bill also prohibits counties, cities, villages, and towns from

