

SENATE BILL 254

M3

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By: **Senator Young**

Introduced and read first time: January 20, 2020

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **On-Site Sewage Disposal Systems – Inspection – Licensing**

3 FOR the purpose of prohibiting an individual from engaging in the business of inspecting
4 an on-site sewage disposal system unless the individual holds a certain license
5 issued by the Department of the Environment on or after a certain date; requiring
6 the Department to adopt regulations establishing certain eligibility criteria and
7 training requirements for a certain license on or before a certain date; requiring an
8 applicant for a certain license to submit a certain application and pay a certain fee;
9 establishing certain penalties for violations of this Act; requiring certain fines to be
10 paid into a certain fund and used for a certain purpose; providing for the liability of
11 a certain license holder who conducts an incomplete inspection of an on-site sewage
12 disposal system; authorizing a local government to establish certain additional
13 requirements for inspections of on-site sewage disposal systems; repealing certain
14 provisions of law relating to the inspection of on-site sewage disposal systems;
15 providing for the application of this Act; providing for a delayed effective date for
16 certain provisions of this Act; and generally relating to the inspection of on-site
17 sewage disposal systems.

18 BY adding to

19 Article – Environment

20 Section 9–217.2

21 Annotated Code of Maryland

22 (2014 Replacement Volume and 2019 Supplement)

23 BY repealing

24 Article – Environment

25 Section 9–217.1

26 Annotated Code of Maryland

27 (2014 Replacement Volume and 2019 Supplement)

28 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 That the Laws of Maryland read as follows:

2 **Article – Environment**

3 **9–217.2.**

4 (A) IN THIS SECTION, “LICENSE HOLDER” MEANS AN INDIVIDUAL WHO
5 HOLDS A VALID SEPTIC INSPECTION LICENSE ISSUED BY THE DEPARTMENT UNDER
6 THIS SECTION.

7 (B) THIS SECTION DOES NOT APPLY TO AN INDIVIDUAL WHO INSPECTS AN
8 ON–SITE SEWAGE DISPOSAL SYSTEM AS A PART OF THE INDIVIDUAL’S DUTIES AS AN
9 EMPLOYEE OF THE FEDERAL GOVERNMENT, THE STATE, OR ANY LOCAL
10 GOVERNMENT OF THE STATE.

11 (C) ON OR AFTER MAY 1, 2021, AN INDIVIDUAL MAY NOT ENGAGE IN THE
12 BUSINESS OF INSPECTING AN ON–SITE SEWAGE DISPOSAL SYSTEM UNLESS THE
13 INDIVIDUAL HOLDS A VALID SEPTIC INSPECTION LICENSE ISSUED BY THE
14 DEPARTMENT.

15 (D) (1) ON OR BEFORE JANUARY 1, 2021, THE DEPARTMENT SHALL
16 ADOPT REGULATIONS ESTABLISHING ELIGIBILITY CRITERIA AND MINIMUM
17 TRAINING STANDARDS FOR SEPTIC INSPECTION LICENSES.

18 (2) THE REGULATIONS ADOPTED UNDER THIS SUBSECTION SHALL
19 REQUIRE THAT:

20 (I) THE TRAINING INCLUDE INSTRUCTION ON DETERMINING
21 WHETHER AN ON–SITE SEWAGE DISPOSAL SYSTEM IS:

22 1. IN NEED OF REPLACEMENT OR REPAIR; OR

23 2. NOT IN COMPLIANCE WITH STATUTORY OR
24 REGULATORY REQUIREMENTS; AND

25 (II) EACH INSPECTION PERFORMED BY A LICENSE HOLDER
26 FOLLOWS THE INSPECTION FORMAT PROVIDED BY THE DEPARTMENT.

27 (E) AN APPLICANT FOR A LICENSE UNDER THIS SECTION SHALL:

28 (1) SUBMIT AN APPLICATION TO THE DEPARTMENT ON THE FORM
29 THE DEPARTMENT PROVIDES; AND

30 (2) PAY AN APPLICATION FEE SET BY THE DEPARTMENT.

1 3 of this Act, this Act shall take effect October 1, 2020.