

HOUSE BILL 834

M3, N1

2lr2319

By: **Delegate Love**

Introduced and read first time: February 3, 2022

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **On-Site Sewage Disposal Systems – Outreach and Education**
3 **(Septic Awareness Act of 2022)**

4 FOR the purpose of requiring the Department of the Environment to establish a certain
5 period of time as SepticSmart Week; requiring the Department to use certain
6 educational materials and other resources during SepticSmart Week to promote
7 community awareness regarding the proper use and maintenance of on-site sewage
8 disposal systems and certain impacts of proper design, installation, operation, and
9 maintenance of on-site disposal systems; requiring a vendor of residential real
10 property served by an on-site sewage disposal system to, on or before the execution
11 of a contract for the sale of the property, deliver certain Septic Systems Outreach
12 Toolkit materials to the purchaser; and generally relating to on-site sewage disposal
13 systems.

14 BY repealing and reenacting, without amendments,
15 Article – Environment
16 Section 9–206(a)(1), (2), (8), and (10)
17 Annotated Code of Maryland
18 (2014 Replacement Volume and 2021 Supplement)

19 BY adding to
20 Article – Environment
21 Section 9–1114
22 Annotated Code of Maryland
23 (2014 Replacement Volume and 2021 Supplement)

24 BY adding to
25 Article – Real Property
26 Section 10–713
27 Annotated Code of Maryland
28 (2015 Replacement Volume and 2021 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Environment**

4 9–206.

5 (a) (1) In this section the following words have the meanings indicated.

6 (2) “Community sewerage system” means a publicly or privately owned
7 sewerage system that serves at least two lots.

8 (8) (i) “On–site sewage disposal system” means a sewage treatment
9 unit, collection system, disposal area, and related appurtenances.

10 (ii) “On–site sewage disposal system” includes a shared facility or
11 community sewerage system that disposes of sewage effluent beneath the soil surface.

12 (10) “Shared facility” means a sewerage system that:

13 (i) Serves more than one:

14 1. Lot and is owned in common by the users;

15 2. Condominium unit and is owned in common by the users
16 or by a condominium association;

17 3. User and is located on individual lots owned by the users;
18 or

19 4. User on one lot and is owned in common by the users; or

20 (ii) Is located wholly or partly on any of the common elements of a
21 condominium; or

22 (iii) Serves a housing or another multiple ownership cooperative.

23 **9–1114.**

24 **(A) THE DEPARTMENT SHALL ESTABLISH THE THIRD WEEK IN SEPTEMBER**
25 **AS SEPTICSMART WEEK.**

26 **(B) DURING SEPTICSMART WEEK, THE DEPARTMENT SHALL USE THE**
27 **EDUCATIONAL MATERIALS PROVIDED UNDER THE U.S. ENVIRONMENTAL**

1 PROTECTION AGENCY'S SEPTICSMART INITIATIVE AND OTHER RESOURCES TO
2 PROMOTE COMMUNITY AWARENESS REGARDING:

3 (1) THE PROPER USE AND MAINTENANCE OF ON-SITE SEWAGE
4 DISPOSAL SYSTEMS; AND

5 (2) THE IMPACT OF PROPER DESIGN, INSTALLATION, OPERATION,
6 AND MAINTENANCE OF ON-SITE SEWAGE DISPOSAL SYSTEMS ON:

7 (I) PRESERVING SURFACE AND UNDERGROUND WATERS;

8 (II) PROTECTING PUBLIC HEALTH; AND

9 (III) AVOIDING COSTLY REPAIRS.

10 Article - Real Property

11 10-713.

12 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
13 INDICATED.

14 (2) "ON-SITE SEWAGE DISPOSAL SYSTEM" HAS THE MEANING STATED
15 IN § 9-206 OF THE ENVIRONMENT ARTICLE.

16 (3) "SEPTIC SYSTEMS OUTREACH TOOLKIT" MEANS A SET OF
17 MATERIALS THAT:

18 (I) PROMOTE HOMEOWNER EDUCATION AND AWARENESS
19 REGARDING ON-SITE SEWAGE DISPOSAL SYSTEMS; AND

20 (II) ARE AVAILABLE TO THE PUBLIC FOR DOWNLOAD FROM THE
21 U.S. ENVIRONMENTAL PROTECTION AGENCY'S WEBSITE.

22 (B) ON OR BEFORE THE EXECUTION OF A CONTRACT FOR THE SALE OF
23 RESIDENTIAL REAL PROPERTY SERVED BY AN ON-SITE SEWAGE DISPOSAL SYSTEM,
24 A VENDOR SHALL DELIVER TO EACH PURCHASER A COPY OF THE FOLLOWING
25 SEPTIC SYSTEMS OUTREACH TOOLKIT MATERIALS:

26 (1) NEW HOMEBUYER'S BROCHURE AND GUIDE TO SEPTIC SYSTEMS;

27 (2) DO'S AND DON'TS HOMEOWNER'S BROCHURE; AND

28 (3) TOP 10 WAYS TO BE A GOOD SEPTIC OWNER DOCUMENT.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2022.