

HOUSE BILL 1444

M3, L2

6lr2477
CF 6lr2479

By: **Washington County Delegation**

Introduced and read first time: February 13, 2026

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Washington County – On-Site Sewage Disposal System Regulations –**
3 **Exemptions**

4 FOR the purpose of authorizing the Washington County Health Department to exempt the
5 owner of certain residential property from compliance with all or part of a certain
6 on-site sewage disposal system regulation if compliance with the regulation would
7 be unduly burdensome; establishing requirements for the consideration and issuance
8 of exemptions under this Act; and generally relating to on-site sewage disposal
9 systems in Washington County.

10 BY adding to
11 Article – Environment
12 Section 9–1115
13 Annotated Code of Maryland
14 (2014 Replacement Volume and 2025 Supplement)

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

17 **Article – Environment**

18 **9–1115.**

19 **(A) THIS SECTION APPLIES ONLY TO RESIDENTIAL REAL PROPERTY THAT:**

20 **(1) IS LOCATED IN A WASHINGTON COUNTY AGRICULTURAL**
21 **(RURAL) OR RURAL VILLAGE ZONING DISTRICT; AND**

22 **(2) AS OF JUNE 1, 2026, IS SERVED BY A CONVENTIONAL ON-SITE**
23 **SEWAGE DISPOSAL SYSTEM THAT UTILIZES A SEPTIC TANK.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(B) (1) IN ACCORDANCE WITH THIS SECTION, THE WASHINGTON COUNTY**
2 **HEALTH DEPARTMENT MAY EXEMPT THE OWNER OF A RESIDENTIAL PROPERTY**
3 **QUALIFYING UNDER SUBSECTION (A) OF THIS SECTION FROM COMPLIANCE WITH**
4 **ALL OR PART OF A REGULATION UNDER COMAR 26.04.02, IF COMPLIANCE WITH**
5 **THE REGULATION WOULD BE UNDULY BURDENSOME.**

6 **(2) TO ESTABLISH THAT COMPLIANCE WITH A REGULATION WOULD**
7 **BE UNDULY BURDENSOME, AN APPLICANT SHALL DEMONSTRATE THAT THE UNIQUE**
8 **CHARACTERISTICS OF THE PROPERTY, EXISTING INFRASTRUCTURE, OR LOCATION**
9 **OF THE ON-SITE SEWAGE DISPOSAL SYSTEM AT ISSUE MAKES COMPLIANCE**
10 **FINANCIALLY OR PHYSICALLY IMPRACTICABLE.**

11 **(C) (1) AN APPLICATION FOR AN EXEMPTION UNDER SUBSECTION (B) OF**
12 **THIS SECTION SHALL:**

13 **(I) BE SUBMITTED TO THE WASHINGTON COUNTY HEALTH**
14 **DEPARTMENT; AND**

15 **(II) INCLUDE A REPORT COMPLETED BY AN INDIVIDUAL**
16 **LICENSED BY THE STATE BOARD OF ON-SITE WASTEWATER PROFESSIONALS**
17 **DESCRIBING THE BURDENS UNIQUE TO THE PROPERTY THAT MAKE COMPLIANCE**
18 **WITH SPECIFIC REGULATIONS UNDER COMAR 26.04.02 UNDULY BURDENSOME.**

19 **(2) THE WASHINGTON COUNTY HEALTH DEPARTMENT SHALL**
20 **REVIEW AN APPLICATION SUBMITTED UNDER PARAGRAPH (1) OF THIS SUBSECTION**
21 **AND DETERMINE WHETHER COMPLYING WITH THE REGULATION OR REGULATIONS**
22 **SPECIFIED IN THE APPLICATION WOULD BE UNDULY BURDENSOME.**

23 **(3) IF THE WASHINGTON COUNTY HEALTH DEPARTMENT**
24 **DETERMINES THAT COMPLYING WITH THE REGULATION OR REGULATIONS WOULD**
25 **BE UNDULY BURDENSOME, THE WASHINGTON COUNTY HEALTH DEPARTMENT**
26 **SHALL ISSUE A PERMIT SPECIFYING THE CRITERIA FROM WHICH THE PROPERTY**
27 **OWNER IS EXEMPT.**

28 **(D) AN EXEMPTION GRANTED UNDER THIS SECTION:**

29 **(1) APPLIES ONLY TO THE PROPERTY OWNER NAMED IN THE**
30 **APPLICATION AND DOES NOT RUN WITH THE PROPERTY;**

31 **(2) EXPIRES 3 YEARS AFTER THE DATE OF ISSUANCE OR ON**
32 **REGISTERING A CHANGE IN TITLE TO THE PROPERTY, WHICHEVER OCCURS FIRST;**
33 **AND**

1 **(3) MAY BE RENEWED AN UNLIMITED NUMBER OF TIMES.**

2 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
3 1, 2026.