

By: Representative Frierson

To: Public Health and Welfare

HOUSE BILL NO. 999

1 AN ACT TO AMEND SECTION 41-67-25, MISSISSIPPI CODE OF 1972,
2 TO REDUCE THE MINIMUM LIABILITY LIMITS OF THE PUBLIC LIABILITY
3 INSURANCE POLICY THAT AN INSTALLER OF INDIVIDUAL ON-SITE
4 WASTEWATER DISPOSAL SYSTEMS MUST HAVE TO BE CERTIFIED; AND FOR
5 RELATED PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 **SECTION 1.** Section 41-67-25, Mississippi Code of 1972, is
8 amended as follows:

9 41-67-25. (1) A person may not operate as an installer in
10 this state unless that person is certified by the board except any
11 individual who installs an individual on-site wastewater disposal
12 system on his own property or a professional engineer.

13 (2) An installer of aerobic treatment plants or subsurface
14 drip disposal systems must be a factory-trained and authorized
15 representative. The manufacturer must furnish documentation to
16 the department certifying the satisfactory completion of factory
17 training and the establishment of the installer as an authorized
18 manufacturer's representative.

19 (3) The board shall issue a certification to an installer if
20 the installer:

21 (a) Completes an application form that complies with
22 this chapter and rules adopted under this chapter;

23 (b) Satisfactorily completes the training program
24 provided by the department;

25 (c) Pays the annual certification fee; and

26 (d) Provides proof of having a valid public liability
27 insurance policy in effect with liability limits of at least
28 Twenty-five Thousand Dollars (\$25,000.00) per occurrence and at



29 least Fifty Thousand Dollars (\$50,000.00) in total aggregate
30 amount.

31 (4) Each installer shall furnish proof of certification to a
32 property owner, lessee, the owner's representative or occupant of
33 the property on which an individual on-site wastewater disposal
34 system is to be designed, constructed, repaired or installed by
35 that installer and to the department or its authorized
36 representative, if requested.

37 (5) The department shall provide for annual renewal of
38 certifications.

39 (6) (a) An installer's certification may be suspended or
40 revoked by the board after notice and hearing if the installer
41 violates this chapter or any rule or regulation adopted under this
42 chapter.

43 (b) The installer may appeal a suspension or revocation
44 under this section as provided by law.

45 (7) The department semiannually shall disseminate to the
46 public an official list of certified installers and provide to
47 county health departments a monthly update of the list.

48 **SECTION 2.** This act shall take effect and be in force from
49 and after July 1, 2002.

