

## Senate Amendments to House Bill No. 287

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

### AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

57           **SECTION 1.** Section 41-67-1, Mississippi Code of 1972, is  
58 amended as follows:

59           41-67-1. (1) This chapter shall be known and may be cited  
60 as the "Mississippi Individual On-Site Wastewater Disposal System  
61 Law."

62           (2) It is the purpose of the Legislature through this  
63 chapter to protect human health and the environment while  
64 providing for reasonable use of individual on-site wastewater  
65 disposal systems. The Legislature finds that continued  
66 installation and operation of individual on-site wastewater  
67 disposal systems in a faulty or improper manner, in a manner that  
68 lacks essential maintenance for the system, or in areas where  
69 unsuitable soil and population density adversely affect the  
70 efficiency and functioning of these systems, has a detrimental  
71 effect on the public health and welfare and the environment  
72 through contamination of land, groundwater and surface waters.  
73 The Legislature, therefore, expresses a general preference for the  
74 installation and operation of centralized sewerage systems in  
75 Mississippi, where feasible. The Legislature recognizes, however,  
76 that individual on-site wastewater treatment and disposal systems  
77 help meet the needs of the state's citizens, especially in rural  
78 locations, and can be rendered ecologically safe and protective of  
79 the public health if the systems are designed, installed,  
80 constructed, maintained and operated properly. It is the intent  
81 of the Legislature to allow the continued installation, use and  
82 maintenance of individual on-site wastewater disposal systems in a

83 manner that will not jeopardize public health and welfare or the  
84 environment.

85 **SECTION 2.** Section 41-67-2, Mississippi Code of 1972, is  
86 amended as follows:

87 41-67-2. For purposes of this chapter, the following words  
88 shall have the meanings ascribed herein unless the context clearly  
89 indicates otherwise:

90 (a) "Advanced treatment system" means individual  
91 on-site wastewater treatment systems that comply with Section  
92 41-67-10.

93 \* \* \*

94 (b) "Alternative system" means any on-site sewage  
95 treatment and disposal system used in lieu of a conventional  
96 system.

97 (c) "Board" means the Mississippi State Board of  
98 Health.

99 (d) "Centralized sewerage system" means pipelines or  
100 conduits, pumping stations, force mains, and all other  
101 construction, devices and appliances appurtenant thereto, used for  
102 the collection and conveyance of sewage to a treatment works or  
103 point of ultimate disposal other than an individual on-site  
104 wastewater disposal system.

105 (e) "Certified maintenance provider" means any person  
106 or business entity that holds a written certification issued by  
107 the department allowing the person to provide maintenance services  
108 associated with approved on-site wastewater treatment and disposal  
109 systems.

110 (f) "Certified professional evaluator" means any person  
111 who has met the requirements of Section 18 of this act.

112 (g) "Conventional system" means an individual on-site  
113 wastewater disposal system consisting of a septic tank and  
114 gravity-fed subsurface disposal field.

115 (h) "Department" means the Mississippi State Department  
116 of Health.

117           (i) "Generator" means any person whose act or process  
118 produces sewage or other material suitable for disposal in an  
119 individual on-site wastewater disposal system.

120           (j) "Individual on-site wastewater disposal system"  
121 means a \* \* \* sewage treatment and effluent disposal system that  
122 does not discharge into waters of the state, that serves only one  
123 (1) legal tract, that accepts only human sanitary waste and  
124 similar waste streams maintained on the property of the generator,  
125 and that is designed and installed in accordance with this law,  
126 and regulations of the board \* \* \*.

127           (k) "Installer" means any person who has met the  
128 requirements of Section 41-67-25.

129           (l) "Performance-based system" means an individual  
130 on-site wastewater disposal system designed to meet standards  
131 established to designate a level of treatment of wastewater that  
132 an individual on-site wastewater disposal system must meet,  
133 including, but not limited to, biochemical oxygen demand, total  
134 suspended solids, nutrient reduction and fecal coliform.

135           (m) "Person" means any individual, trust, firm,  
136 joint-stock company, public or private corporation (including a  
137 government corporation), partnership, association, state, or any  
138 agency or institution thereof, municipality, commission, political  
139 subdivision of a state or any interstate body, and includes any  
140 officer or governing or managing body of any municipality,  
141 political subdivision, or the United States or any officer or  
142 employee thereof.

143       \* \* \*

144           (n) "Property of the generator" means land owned by or  
145 under permanent legal easement or lease to the generator.

146           (o) "Subdivision" means any tract or combination of  
147 adjacent tracts of land that is subdivided into ten (10) or  
148 more \* \* \* tracts, sites or parcels for the purpose of commercial  
149 or residential development.

150           **SECTION 3.** Section 41-67-3, Mississippi Code of 1972, is  
151 amended as follows:

152           41-67-3. (1) The State Board of Health shall have the  
153 following duties and responsibilities:

154           (a) To exercise general supervision over the design,  
155 construction, operation and maintenance of individual on-site  
156 wastewater disposal systems \* \* \*;

157           (b) To adopt, modify, repeal and promulgate rules and  
158 regulations, after due notice and hearing, and where not otherwise  
159 prohibited by federal or state law, to make exceptions to, to  
160 grant exemptions from and to enforce rules and regulations  
161 implementing or effectuating the duties of the board under this  
162 chapter to protect the public health. The board may grant  
163 variances from rules and regulations adopted under this chapter,  
164 including requirements for buffer zones, or from setbacks required  
165 under Section 41-67-7 where the granting of a variance shall not  
166 subject the public to unreasonable health risks or jeopardize  
167 environmental resources;

168           (c) To provide or deny certification for persons  
169 engaging in the business of the design, construction or  
170 installation of individual on-site wastewater disposal systems and  
171 persons engaging in the removal and disposal of the sludge and  
172 liquid waste from those systems;

173           (d) To suspend or revoke certifications issued to  
174 persons engaging in the business of the design, construction or  
175 installation of individual on-site wastewater disposal systems or  
176 persons engaging in the removal and disposal of the sludge and  
177 liquid waste from those systems, when it is determined the person  
178 has violated this chapter or applicable rules and  
179 regulations; \* \* \*

180           (e) To require the submission of information deemed  
181 necessary by the department to determine the suitability of  
182 individual lots for individual on-site wastewater disposal  
183 systems; and

184           (f) To adopt, modify, repeal and promulgate rules and  
185 regulations, after due notice and hearing, and where not otherwise  
186 prohibited by federal or state law, as necessary to determine the

187 suitability of individual on-site wastewater disposal systems in  
188 subdivisions.

189 (2) Nothing in this chapter shall preclude a certified  
190 professional evaluator from providing services relating to the  
191 design \* \* \* of an individual on-site wastewater disposal system  
192 to comply with this chapter; except for performance-based systems  
193 as specified in subsection (4) of this section. \* \* \* A certified  
194 professional evaluator shall notify the department in writing of  
195 those services being provided prior to construction or  
196 installation. If a certified professional evaluator designs \* \* \*  
197 a design-based individual on-site wastewater disposal system  
198 consistent with this chapter, the certified professional evaluator  
199 shall stamp the appropriate documentation with that certified  
200 professional evaluator's appropriate registration or licensure  
201 number, if applicable, and the department's certification number  
202 and submit the stamped, appropriate documentation to the  
203 department for review. Once the department has concurred that the  
204 recommended system will adequately treat and dispose of all waste,  
205 will maintain the waste on the property of the generator, will not  
206 discharge to waters of the state and be in compliance with this  
207 law and the corresponding regulations, the department shall  
208 approve the design \* \* \* of the system. \* \* \* Construction or  
209 installation \* \* \* prior to department approval is prohibited.

210 (3) To assure the effective and efficient administration of  
211 this chapter, the board shall adopt rules governing the design,  
212 construction or installation, operation and maintenance of  
213 individual on-site wastewater disposal systems, including rules  
214 concerning the:

215 (a) Review and approval of individual on-site  
216 wastewater disposal systems in accordance with Section 41-67-6;

217 (b) Certification of installers of individual on-site  
218 wastewater disposal systems and persons engaging in the removal  
219 and disposal of the sludge and liquid waste from those  
220 systems; \* \* \*

- 221 (c) Registration and requirements for testing and  
222 listing of manufacturers of advanced treatment systems;  
223 (d) Certification of maintenance providers; and  
224 (e) Certification of certified professional evaluators.

225 (4) In addition, the board shall adopt rules establishing  
226 performance standards for individual on-site wastewater disposal  
227 systems for single family residential generators and rules  
228 concerning the operation and maintenance of individual on-site  
229 wastewater disposal systems designed to meet those standards. The  
230 performance standards shall be consistent with the federal Clean  
231 Water Act, maintaining the wastes on the property of the  
232 generator \* \* \*, and protection of the public health. Rules for  
233 the operation and maintenance of individual on-site wastewater  
234 disposal systems designed to meet performance standards shall  
235 include rules concerning the following:

- 236 (a) A standard application form and requirements for  
237 supporting documentation;  
238 (b) Application review;  
239 (c) Approval or denial of authorization for proposed  
240 systems;  
241 (d) Requirements, as deemed appropriate by the board,  
242 for annual renewal of authorization;  
243 (e) Enforcement of the requirements and conditions of  
244 authorization; and  
245 (f) Inspection, monitoring, sampling and reporting on  
246 the performance of the system.

247 Any system proposed for authorization in accordance with  
248 performance standards must be designed and certified by a  
249 professional engineer registered in the State of Mississippi who  
250 is a certified professional evaluator and must be authorized by  
251 the board before installation. \* \* \*

252 (5) To the extent practicable, all rules and regulations  
253 adopted under this chapter shall give maximum flexibility to  
254 persons installing individual on-site wastewater disposal systems  
255 and a maximum number of options consistent with the federal Clean

256 Water Act, consistent with maintaining the wastes on the property  
257 of the generator \* \* \*, and consistent with protection of the  
258 public health. In addition, all rules and regulations, to the  
259 extent practicable, shall encourage the use of economically  
260 feasible systems, including alternative techniques and  
261 technologies for individual on-site wastewater disposal.

262 (6) All regulations shall be applied uniformly in all areas  
263 of the state and shall take into consideration and make provision  
264 for different types of soil in the state when performing soil and  
265 site evaluations.

266 (7) No public utility supplying water shall make connection  
267 to any dwelling house, mobile home or residence without the prior  
268 written approval of the department certifying that the sewage  
269 treatment and disposal system at the location of the property  
270 complies with this chapter. Temporary connections of water  
271 utilities may be made during construction if the department has  
272 approved a plan for a sewage treatment and disposal system and the  
273 owner of the property has agreed to have the system inspected and  
274 approved by the department prior to the use or occupancy of the  
275 property.

276 **SECTION 4.** Section 41-67-4, Mississippi Code of 1972, is  
277 amended as follows:

278 41-67-4. (1) In all subdivisions where the developer  
279 proposes the use of individual on-site wastewater disposal systems  
280 as opposed to centralized sewerage systems and upon the submission  
281 by the developer of a \* \* \* design and feasibility study prepared  
282 by a professional engineer registered in the State of Mississippi,  
283 the board shall make a determination as to the suitability of  
284 individual on-site wastewater disposal systems as compared to the  
285 feasibility of establishing a centralized sewerage system. In  
286 determining whether the centralized sewerage system is feasible,  
287 the board shall consider, at a minimum, the following:

288 (a) No person shall install an individual on-site  
289 wastewater disposal system in any subdivision, as defined in this  
290 chapter, unless the board has determined that individual on-site

291 wastewater disposal systems can be designed, installed, operated  
292 and maintained in accordance with this law and applicable  
293 regulations of the board, that the individual on-site wastewater  
294 disposal systems will properly treat and maintain all wastewater  
295 on the property of the generator, and that the use of the on-site  
296 wastewater disposal systems will comply with all other  
297 requirements. In subdivisions that otherwise meet the  
298 requirements of this chapter and applicable regulations of the  
299 board, the board shall utilize criteria set out in paragraph (b)  
300 of this subsection to make its economic determination of the  
301 suitability of individual on-site wastewater disposal systems.

302 (b) The initial capital costs of providing a  
303 centralized sewerage system and the initial capital costs of  
304 connecting to an existing collection system shall each be compared  
305 with the cost of providing appropriate individual on-site  
306 treatment for each lot. If the cost on a per lot basis for  
307 providing a centralized sewerage system is not more than one  
308 hundred twenty-five percent (125%) of the cost of an individual  
309 on-site system technology recommended by the department or a  
310 certified professional evaluator, then a centralized sewerage  
311 system will be deemed feasible. If the cost on a per lot basis  
312 for connecting to an existing collection system is not more than  
313 one hundred twenty-five percent (125%) of the cost of an  
314 individual on-site system technology recommended by the department  
315 or a certified professional evaluator, then connecting to an  
316 existing collection system will be deemed feasible. In such case  
317 that the cost on a per lot basis for providing a centralized  
318 sewerage system and the cost on a per lot basis for connecting to  
319 an existing collection system are both not more than one hundred  
320 twenty-five percent (125%) of the cost of an individual on-site  
321 system technology recommended by the department or a certified  
322 professional evaluator, then connecting to an existing collection  
323 system will be deemed the feasible alternative. If a centralized  
324 sewerage system or connecting to an existing collection system has



325 been deemed feasible, no individual on-site units shall be  
326 approved for the subdivision.

327 (c) The department shall evaluate the area in which the  
328 proposed subdivision is to be located near environmentally  
329 sensitive waters. Environmentally sensitive waters include lakes,  
330 reservoirs or other waters whose uses are recreational, shellfish  
331 harvesting or public water supply as determined by the Commission  
332 on Environmental Quality, or private water supply or other waters  
333 as deemed by the department. The Commission on Environmental  
334 Quality shall adopt regulations specifying objective criteria to  
335 determine what constitutes environmentally sensitive waters. A  
336 subdivision adjacent to or in close proximity of these waters and  
337 which drain to these waters or to a tributary of these waters  
338 shall provide a centralized sewerage system or shall connect to an  
339 existing wastewater system. For a subdivision in which both a  
340 centralized sewerage system and connection to an existing  
341 collection system are not feasible due to paragraph (b) of this  
342 subsection and that is adjacent to or in close proximity of these  
343 waters and which drain to these waters or to a tributary of these  
344 waters, the department may allow the use of individual on-site  
345 treatment in accordance with Section 41-67-7 upon the creation of  
346 a decentralized wastewater management entity to ensure proper  
347 operation and maintenance, including repair and replacement of the  
348 individual on-site treatment systems.

349 \* \* \*

350 (2) No feasibility study or community sewerage system shall  
351 be required for subdivisions designed, laid out, platted or  
352 partially constructed before July 1, 1988, or for any subdivision  
353 that was platted and recorded during the period from July 1, 1995,  
354 through June 30, 1996.

355 **SECTION 5.** Section 41-67-5, Mississippi Code of 1972, is  
356 amended as follows:

357 41-67-5. (1) No owner, lessee or developer shall construct  
358 or place any mobile, modular or permanently constructed residence,  
359 building or facility, which may require the installation of an

360 individual on-site wastewater disposal system, without having  
361 first submitted a notice of intent to the department. Upon  
362 receipt of a notice of intent, the department shall provide the  
363 owner, lessee or developer with complete information on individual  
364 on-site wastewater disposal systems, including, but not limited  
365 to, applicable rules and regulations regarding the design,  
366 construction, installation, operation and maintenance of  
367 individual on-site wastewater disposal systems and known  
368 requirements of lending institutions for approval of the systems.

369 (2) No temporary water service connection shall be provided  
370 to any mobile, modular or permanently constructed residence,  
371 building or facility unless the owner, lessee or developer shows  
372 proof of the submission of the notice of intent required by this  
373 section.

374 (3) The department shall furnish to the county tax assessor  
375 or collector, upon request, the name and address of the person  
376 submitting a notice of intent and the section, township and range  
377 of the lot or tract of land on which the individual on-site  
378 wastewater disposal system will be installed.

379 **SECTION 6.** Section 41-67-6, Mississippi Code of 1972, is  
380 amended as follows:

381 41-67-6. (1) Within five (5) working days following receipt  
382 of the notice of intent and plot plan by an owner, lessee or  
383 developer of any lot or tract of land, the department shall  
384 conduct a soil and site evaluation, except in cases where a  
385 certified professional evaluator provides services relating to the  
386 design, construction or installation of an individual on-site  
387 wastewater disposal system to comply with this chapter. Within  
388 ten (10) additional working days, the department shall make  
389 recommendations to the owner, lessee or developer of the type or  
390 types of individual on-site wastewater disposal systems suitable  
391 for installation on the lot or tract, unless there are conditions  
392 requiring further investigation that are revealed in the initial  
393 evaluation. In making recommendations on the type or types of  
394 individual on-site wastewater disposal systems suitable for

395 installation on a lot or tract, personnel of the department shall  
396 use best professional judgment based on rules and regulations  
397 adopted by the board, considering the type or types of systems  
398 which are installed and functioning on lots or tracts near the  
399 subject lot or tract. \* \* \* To the extent practicable, the  
400 recommendations shall give the owner, lessee or developer maximum  
401 flexibility and a maximum number of options consistent with the  
402 federal Clean Water Act, consistent with maintaining the wastes on  
403 the property of the generator \* \* \*, and consistent with  
404 protection of the public health. The system or systems  
405 recommended shall be environmentally sound and cost-effective.  
406 The department or a certified professional evaluator shall provide  
407 complete information, including all applicable requirements and  
408 regulations on all systems recommended. The owner, lessee or  
409 developer shall have the right to choose among systems. The  
410 department shall provide the owner, lessee or developer with a  
411 form that specifies all types of individual on-site wastewater  
412 disposal systems that are suitable for installation on the lot or  
413 tract and lists all installers of those systems that are certified  
414 by the department. Approval of the design, construction or  
415 installation of an individual on-site wastewater disposal system  
416 by the department is \* \* \* required. Upon completion of  
417 installation of the system, the department shall approve the  
418 design, construction or installation of that system, as requested,  
419 if the system is designed, constructed and installed, as the case  
420 may be, in accordance with the rules and regulations of the  
421 board. \* \* \* Whenever a person requests approval of an individual  
422 on-site wastewater disposal system and has met the requirements in  
423 subsection (7), the department must approve or disapprove the  
424 request within five (5) working days. If the department  
425 disapproves the request, the department shall state in writing the  
426 reasons for the disapproval. If the department does not respond  
427 to the request within ten (10) calendar days, the request for  
428 approval of the individual on-site wastewater disposal system  
429 shall be deemed approved.

430           (2) Within thirty (30) days of receipt of a request for  
431 determination of suitability of individual on-site wastewater  
432 disposal systems in a subdivision, the department shall advise the  
433 developer in writing either that all necessary information needed  
434 for determination of suitability has been received or state the  
435 additional information needed by the department for determination  
436 of suitability.

437           (3) Whenever a developer requests a determination of  
438 suitability of individual on-site wastewater disposal systems in a  
439 subdivision, the department must make the determination within  
440 forty-five (45) days after receipt of all necessary information  
441 needed for the determination of suitability from the developer.  
442 The department shall state in writing the reasons for its  
443 determination.

444           (4) (a) The installer or certified professional evaluator  
445 shall notify the department prior to beginning construction of an  
446 individual on-site wastewater disposal system and, at that time,  
447 schedule a time for inspection of the system with the appropriate  
448 county department of health.

449           (b) An installer shall not cover his work with soil or  
450 other surface material unless the installer has received  
451 authorization to cover the system after an inspection by a county  
452 department of health inspector or a certified professional  
453 evaluator.

454           (5) A person may not design, construct or install, or cause  
455 to be designed, constructed or installed an individual on-site  
456 wastewater disposal system that does not comply with this chapter  
457 and rules and regulations of the board.

458           (6) \* \* \* If any person or contractor fails to comply with  
459 all requirements and regulations in the installation of the  
460 system, the board, after due notice and hearing, may levy an  
461 administrative fine not to exceed Ten Thousand Dollars  
462 (\$10,000.00). Each wastewater system installed not in compliance  
463 with this chapter or applicable rules and regulations of the board  
464 shall be considered a separate offense.

465       (7) After construction or installation of the individual  
466 on-site wastewater disposal system, the property owner or his  
467 agent shall provide a final approval request containing the  
468 following to the department:

469           (a) A signed affidavit from the installer or certified  
470 evaluator and any additional required documentation that the  
471 system was installed in compliance with all requirements,  
472 regulations and permit conditions applicable to the system  
473 installed; and

474           (b) For any system that contains an electric  
475 operational component, a continuing maintenance contract signed by  
476 the property owner and a certified maintenance provider.

477       **SECTION 7.** Section 41-67-7, Mississippi Code of 1972, is  
478 amended as follows:

479       41-67-7. Individual on-site wastewater disposal systems  
480 shall be considered acceptable on lots in areas or subdivisions  
481 where prior to the sale of the lots, the following requirements  
482 are met:

483       (1) Individual on-site wastewater disposal systems with  
484 underground absorption fields shall be considered acceptable,  
485 provided the following requirements are met:

486           (a) Sewers are not available or feasible;

487           (b) The existing disposal systems in the area are  
488 functioning satisfactorily;

489           (c) Soil types, soil texture, seasonal water tables and  
490 other limiting factors are satisfactory for underground  
491 absorption; and

492           (d) Any private water supply is located at a higher  
493 elevation or must be properly protected and at least fifty (50)  
494 feet from the individual on-site wastewater disposal system and at  
495 least one hundred (100) feet from the disposal field of the  
496 system.

497       (2) Except for systems utilizing underground absorption,  
498 alternative individual on-site wastewater disposal systems shall

499 be considered acceptable, provided the following requirements are  
500 met:

501 (a) Sewers are not available or feasible; and

502 (b) The systems meet applicable water quality  
503 requirements of the federal Clean Water Act and also requirements  
504 of the board and department. \* \* \*

505 \* \* \*

506 **SECTION 8.** Section 41-67-9, Mississippi Code of 1972, is  
507 amended as follows:

508 41-67-9. (1) Existing individual on-site wastewater  
509 disposal systems shall be considered acceptable, provided the  
510 following requirements are met:

511 (a) The lot is located in an area or subdivision where  
512 individual on-site wastewater disposal systems are considered  
513 acceptable under this chapter;

514 (b) The residence, building or facility has previously  
515 been occupied for a period of time deemed by the department  
516 necessary to determine the functioning capability of the  
517 individual on-site wastewater disposal system;

518 (c) The system is functioning properly with no evidence  
519 that any insufficiently treated effluent is or has been seeping to  
520 the surface of the ground and any discharge of treated effluent is  
521 confined within the boundaries of the property of the  
522 generator \* \* \*; and

523 (d) If a private water supply well is present, the well  
524 should be located at a higher elevation than the disposal system  
525 and is protected from surface contamination by a concrete slab of  
526 a thickness of at least four (4) inches extending at least two (2)  
527 feet in all directions from the well casing.

528 (2) If an existing residential individual on-site wastewater  
529 disposal system is malfunctioning, the system should be replaced,  
530 where possible, with a system meeting all requirements of this  
531 chapter and rules and regulations of the board. If replacement of  
532 the existing system is not possible, the existing system shall be  
533 repaired to reduce the volume of effluent, to adequately treat the

534 effluent and to the greatest extent possible, to confine the  
535 discharge to the property of the generator \* \* \*. If repairs are  
536 made to significantly upgrade the existing individual on-site  
537 wastewater disposal system, the department shall approve the  
538 system, if requested.

539 **SECTION 9.** Section 41-67-10, Mississippi Code of 1972, is  
540 amended as follows:

541 41-67-10. Advanced treatment systems may be installed only  
542 if they have been tested and are listed by a third-party  
543 certifying program at the time of installation. Advanced  
544 treatment systems shall be in compliance with standards for a  
545 Class I system as defined by the most current revision of American  
546 National Standards Institute/National Sanitation Foundation  
547 (ANSI/NSF) International Standard Number 40, hereby incorporated  
548 by reference. \* \* \* An approved third-party certifying program  
549 shall comply with the following provisions for systems which it  
550 has certified to be installed in Mississippi:

551 (a) Be accredited by the American National Standards  
552 Institute;

553 (b) Have established procedures which send  
554 representatives to distributors in Mississippi on a recurring  
555 basis to conduct evaluations to assure that distributors of  
556 certified advanced treatment systems are providing proper  
557 maintenance, have sufficient replacement parts available and are  
558 maintaining service records;

559 (c) Notify the department of the results of monitoring  
560 visits to manufacturers and distributors within sixty (60) days of  
561 the conclusion of the monitoring; and

562 (d) Submit completion reports on testing and any other  
563 information as the department may require for its review.

564 **SECTION 10.** Section 41-67-11, Mississippi Code of 1972, is  
565 amended as follows:

566 41-67-11. (1) Temporary individual on-site wastewater  
567 disposal systems may be approved in an area where individual  
568 on-site wastewater disposal systems otherwise would not be

569 approved because of the availability or feasibility of connection  
570 to a centralized sewerage system only after a contract has been  
571 awarded or other definite commitments as are deemed sufficient to  
572 the department are formalized for the construction of municipal or  
573 community sewers that upon completion will adequately serve the  
574 property. Temporary individual on-site wastewater disposal  
575 systems shall only be approved when the municipal or community  
576 sewers shall be completed and available for use within thirty-six  
577 (36) months. The department may approve the installation of a  
578 temporary system under these circumstances only if the system  
579 shall comply with the requirements of Section 41-67-5(1) and  
580 comply with all construction requirements of the board. The  
581 temporary system may be installed only after the developer has  
582 signed a written agreement with the centralized sewer provider  
583 stating that the developer will connect to the centralized sewer  
584 system when it becomes available, and the provider of the  
585 centralized sewer system being constructed certifies that the  
586 centralized sewer system will have adequate capacity to accept the  
587 sewage to be produced by the temporary systems. The developer  
588 shall install an internal sewage collection system from each lot  
589 to the connection point to the central sewer system as he develops  
590 the curbs, gutters and streets of the subdivision. Upon  
591 completion of the sewer construction, all systems shall be  
592 abandoned and all residences, buildings or facilities connected to  
593 the sewer.

594 \* \* \*

595 (2) The board may approve the installation of sewage holding  
596 tanks in districts created under Sections 19-5-151 through  
597 19-5-207 for the purpose of providing sewage services. The  
598 district shall be required to maintain or provide for the  
599 maintenance of those holding tanks. The board shall require that  
600 residences be connected to a municipal or community sewage system  
601 when that system is available \* \* \*.

602 **SECTION 11.** Section 41-67-15, Mississippi Code of 1972, is  
603 amended as follows:



604           41-67-15. (1) Nothing in this chapter shall limit the  
605 authority of a municipality or board of supervisors to adopt  
606 similar ordinances which may be, in whole or in part, more  
607 restrictive than this chapter, and in those cases the more  
608 restrictive ordinances will govern, except as provided in  
609 subsection (2).

610           (2) (a) If a centralized sewerage system is not available,  
611 a board of supervisors shall not prohibit or restrict the use of  
612 any type of individual on-site wastewater disposal systems  
613 recommended by the department as suitable for that tract of land.

614           (b) The board of supervisors shall not charge a fee for  
615 the maintenance or inspection of an individual on-site wastewater  
616 disposal system.

617           (c) If the board of supervisors requires an owner of an  
618 individual on-site wastewater disposal system to connect to a  
619 centralized sewerage system, the board of supervisors shall pay  
620 for the connection to the centralized system.

621           (3) The department shall not enforce any ordinance adopted  
622 by a municipality or board of supervisors.

623           **SECTION 12.** Section 41-67-25, Mississippi Code of 1972, is  
624 amended as follows:

625           41-67-25. (1) A person may not operate as an installer of  
626 individual on-site wastewater disposal systems \* \* \* unless that  
627 person is currently certified by the department. \* \* \* A person  
628 who installs an individual on-site wastewater disposal system on  
629 his own property for his primary residence is not considered an  
630 installer for purposes of this subsection.

631           (2) An installer of alternative systems or products must be  
632 a factory-trained and authorized representative. The manufacturer  
633 must furnish documentation to the department certifying the  
634 satisfactory completion of factory training and the establishment  
635 of the installer as an authorized manufacturer's representative.

636           (3) The board shall issue a certification to an installer if  
637 the installer:

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

640 (b) Satisfactorily completes the training program  
641 provided by the department;

642 (c) Pays the annual certification fee; and

643 (d) Provides proof of having a valid general business  
644 liability insurance policy in effect with liability limits of at  
645 least Fifty Thousand Dollars (\$50,000.00) per occurrence and at  
646 least One Hundred Thousand Dollars (\$100,000.00) in total  
647 aggregate amount that includes coverage for product and completed  
648 work.

649 (4) Each installer shall furnish proof of certification to a  
650 property owner, lessee, the owner's representative or occupant of  
651 the property on which an individual on-site wastewater disposal  
652 system is to be designed, constructed, repaired or installed by  
653 that installer and to the department or its authorized  
654 representative, if requested.

655 (5) The department shall provide for annual renewal of  
656 certifications.

657 (6) (a) An installer's certification may be suspended or  
658 revoked by the board after notice and hearing if the installer  
659 violates this chapter or any rule or regulation adopted under this  
660 chapter.

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

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

666 (8) If any person operating in the state as an installer  
667 without certification by the board, the board, after due notice  
668 and opportunity for a hearing, may impose a monetary penalty not  
669 to exceed Ten Thousand Dollars (\$10,000.00) for each violation.

670 **SECTION 13.** Section 41-67-27, Mississippi Code of 1972, is  
671 amended as follows:

672           41-67-27. It is unlawful for a manufacturer of an individual  
673 on-site wastewater disposal system, advanced treatment system, or  
674 alternate treatment system to operate a business in or to do  
675 business in the State of Mississippi without holding a valid  
676 manufacturer's registration issued by the department.

677           **SECTION 14.** Section 41-67-29, Mississippi Code of 1972, is  
678 amended as follows:

679           41-67-29. Any person \* \* \* aggrieved by any final decision  
680 of the department may appeal that final decision to the chancery  
681 court of the county of the situs in whole or in part of the  
682 subject matter. The appellant shall give a cost bond with  
683 sufficient sureties, payable to the state in a sum to be fixed by  
684 the board or the court and to be filed with and approved by the  
685 clerk of the court. The aggrieved party may, within thirty (30)  
686 days following a final decision of the department, petition the  
687 chancery court for an appeal with supersedeas and the chancellor  
688 shall grant a hearing on the petition. Upon good cause shown the  
689 chancellor may grant the appeal with supersedeas. The appellant  
690 shall be required to post a bond with sufficient sureties  
691 according to law in an amount to be determined by the chancellor.  
692 The chancery court shall always be deemed open for hearing of  
693 appeals and the chancellor may hear the appeal in termtime or in  
694 vacation at any place in his district. The appeal shall have  
695 precedence over all civil cases, except election contests. The  
696 chancery court shall review all questions of law and of fact and  
697 may enter a final order or remand the matter to the board for  
698 appropriate action as may be indicated or necessary under the  
699 circumstances. Appeals may be taken from the chancery court to  
700 the Supreme Court in the manner as now required by law, but if a  
701 supersedeas is desired by the party appealing to the chancery  
702 court, that party may apply therefor to the chancellor, who shall  
703 award a writ of supersedeas, without additional bond, if in the  
704 chancellor's judgment material damage is not likely to result. If  
705 material damage is likely to result, the chancellor shall require

706 a supersedeas bond as deemed proper, which shall be liable to the  
707 state for any damage.

708         SECTION 15. (1) The department shall adopt and use  
709 procedures for conducting reviews requested by any person  
710 aggrieved by the disapproval or requirements for an on-site  
711 wastewater disposal system as provided by the department in  
712 written form under Section 41-67-6. The procedures shall include  
713 that the person may request review by submitting a written request  
714 of review to the Director of the Office of Environmental Health.  
715 The request for review shall identify the matter contested and  
716 state the person's name, mailing address and home and daytime  
717 phone numbers. Within ten (10) business days of the receipt of  
718 the request for review, the department shall issue in writing a  
719 ruling and determination to the person and if any corrections are  
720 necessary to any form previously issued by the department, then  
721 new forms shall be submitted to the person.

722         (2) Any person aggrieved by the ruling issued by the  
723 Director of the Office of Environmental Health may apply for a  
724 hearing. Any hearing shall be conducted by a hearing officer  
725 designated by the department. At the hearing, the hearing officer  
726 and any person affected by the proposal being reviewed may conduct  
727 reasonable questioning of persons who make relevant factual  
728 allegations concerning the proposal. The hearing officer shall  
729 require that all persons be sworn before they may offer any  
730 testimony at the hearing, and the hearing officer is authorized to  
731 administer oaths. Any person so choosing may be represented by  
732 counsel at the hearing. A record of the hearing shall be made,  
733 which shall consist of a transcript of all testimony received, all  
734 documents and other material introduced by any interested person,  
735 the staff report and recommendation, and any other material as the  
736 hearing officer considers relevant, including his own  
737 recommendation. He shall make a recommendation within a  
738 reasonable period of time after the hearing is closed and after he  
739 has had an opportunity to review, study and analyze the evidence  
740 presented during the hearing. The completed record shall be

741 certified to the State Health Officer, who shall consider only the  
742 record in making his decision, and shall not consider any evidence  
743 or material which is not included. All final decisions regarding  
744 the disapproval or requirements for an on-site wastewater disposal  
745 system shall be made by the State Health Officer. The State  
746 Health Officer shall make his written findings and issue his order  
747 after reviewing the record. The findings and decision of the  
748 State Health Officer shall not be deferred to any later date, and  
749 any deferral shall result in an automatic order of disapproval.

750 **SECTION 16.** (1) A person may not operate as a certified  
751 maintenance provider in this state unless that person is currently  
752 certified by the department.

753 (2) A certified maintenance provider for mechanical or  
754 proprietary systems must be a factory trained and authorized  
755 representative. The manufacturer must furnish documentation to  
756 the department certifying the satisfactory completion of factory  
757 training and the establishment of the maintenance provider as an  
758 authorized manufacturer's representative.

759 (3) The department shall issue a certification to a  
760 maintenance provider if the maintenance provider:

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

763 (b) Satisfactorily completes the certified maintenance  
764 provider training program provided by the department or currently  
765 holds a certified installer's certificate;

766 (c) Pays the annual certification fee; and

767 (d) Provides proof of having a valid general business  
768 liability insurance policy in effect with liability limits of at  
769 least Fifty Thousand Dollars (\$50,000.00) per occurrence and at  
770 least One Hundred Thousand Dollars (\$100,000.00) in total  
771 aggregate amount that includes coverage for product and completed  
772 work.

773 (4) Each certified maintenance provider shall furnish proof  
774 of certification to an individual prior to entering a contract

775 with that individual for the continuing maintenance of an  
776 individual on-site wastewater disposal system.

777 (5) The department shall provide for annual renewal of  
778 certifications.

779 (6) The department semiannually shall disseminate to the  
780 public an official list of certified maintenance providers and  
781 provide to county health departments a monthly update of the list.

782 (7) If any person operates in the state as a certified  
783 maintenance provider without certification by the board, the  
784 board, after due notice and opportunity for a hearing, may impose  
785 a monetary penalty not to exceed Ten Thousand Dollars (\$10,000.00)  
786 for each violation.

787 **SECTION 17.** (1) A person may not be engaged in the business  
788 of removing and disposing of the sludge and liquid waste (septage)  
789 from individual on-site wastewater disposal systems in this state  
790 unless that person has a valid license issued by the department.

791 (2) The department shall issue a license to a pumper if the  
792 pumper:

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

795 (b) Satisfactorily complies with the requirements of  
796 his/her pumping and hauling equipment;

797 (c) Provides documentation of a disposal site approved  
798 by the Department of Environmental Quality, Office of Pollution  
799 Control;

800 (d) Pays the annual license fee; and

801 (e) Provides proof of having a valid general business  
802 liability insurance policy in effect with liability limits of at  
803 least Fifty Thousand Dollars (\$50,000.00) per occurrence and at  
804 least One Hundred Thousand Dollars (\$100,000.00) in total  
805 aggregate amount that includes coverage for product and completed  
806 work.

807 (3) Each pumper shall furnish proof of licensure to an  
808 individual prior to entering a contract with that individual for

809 the removing and disposing of the sludge and liquid waste  
810 (septage) from an individual on-site wastewater disposal system.

811 (4) The department semiannually shall disseminate to the  
812 public an official list of licensed pumpers and provide to county  
813 health departments a monthly update of the list.

814 (5) If any person operates in the state as a licensed pumper  
815 without a license by the board, the board, after due notice and  
816 opportunity for a hearing, may impose a monetary penalty not to  
817 exceed Ten Thousand Dollars (\$10,000.00) for each violation.

818 **SECTION 18.** (1) A person may not operate as a certified  
819 professional evaluator in this state unless that person is  
820 currently certified by the department.

821 (2) A person must meet one (1) of the following  
822 requirements, in addition to the additional requirements set forth  
823 through this law and rules and regulations of the board, in order  
824 to be eligible to become a certified professional evaluator:

825 (a) Be a professional engineer registered in the State  
826 of Mississippi;

827 (b) Be a professional geologist registered in the State  
828 of Mississippi;

829 (c) Be a professional soil classifier licensed in the  
830 State of Mississippi; or

831 (d) Be a person who shall possess a demonstrable,  
832 adequate and appropriate record of professional experience and/or  
833 training as determined by the department.

834 (3) The department shall issue a certification to a  
835 certified professional evaluator if the certified professional  
836 evaluator:

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

839 (b) Satisfactorily completes the certified professional  
840 evaluator training program provided by the department; and

841 (c) Pays the annual certification fee.

842 (4) Provides proof of having an errors and omissions policy  
843 or surety in effect with liability limits of at least Fifty

844 Thousand Dollars (\$50,000.00) per occurrence and at least One  
845 Hundred Thousand Dollars (\$100,000.00) in total aggregate amount.

846 (5) Each certified professional evaluator shall furnish  
847 proof of certification to a property owner or the owner's  
848 representative of the property prior to performing a site  
849 evaluation of the property on which an individual on-site  
850 wastewater disposal system is to be designed, constructed,  
851 repaired or installed by the certified professional evaluator and  
852 to the department or its authorized representative, if requested.

853 (6) The department shall provide for annual renewal of  
854 certifications.

855 (7) The department semiannually shall disseminate to the  
856 public an official list of certified professional evaluators and  
857 provide to county health departments a monthly update of the list.

858 (8) If any person operates in the state as a certified  
859 professional evaluator without certification by the board, the  
860 board, after due notice and opportunity for a hearing, may impose  
861 a monetary penalty not to exceed Ten Thousand Dollars (\$10,000.00)  
862 for each violation.

863 **SECTION 19.** Section 19-5-173, Mississippi Code of 1972, is  
864 amended as follows:

865 19-5-173. The board of commissioners shall have the power to  
866 make regulations to secure the general health of those residing in  
867 the district; to prevent, remove and abate nuisances; to regulate  
868 or prohibit the construction of privy-vaults and cesspools, and to  
869 regulate or suppress those already constructed; and to compel and  
870 regulate the connection of all property with sewers. If the board  
871 of commissioners requires an owner of an individual on-site  
872 wastewater disposal system to connect to a sewer system, the board  
873 shall pay for the connection to the sewer system. The board shall  
874 not charge a fee for the maintenance or inspection of an  
875 individual on-site wastewater disposal system.

876 **SECTION 20.** Section 19-5-177, Mississippi Code of 1972, is  
877 amended as follows:



878 19-5-177. (1) Any district created under Sections 19-5-151  
879 through 19-5-207, acting by and through the board of commissioners  
880 of such district as its governing authority, shall have the  
881 following, among other, powers:

882 (a) To sue and be sued;

883 (b) To acquire by purchase, gift, devise and lease or  
884 any other mode of acquisition, other than by eminent domain, hold  
885 and dispose of real and personal property of every kind within or  
886 without the district;

887 (c) To make and enter into contracts, conveyances,  
888 mortgages, deeds of trust, bonds, leases or contracts for  
889 financial advisory services;

890 (d) To incur debts, to borrow money, to issue  
891 negotiable bonds, and to provide for the rights of the holders  
892 thereof;

893 (e) To fix, maintain, collect and revise rates and  
894 charges for services rendered by or through the facilities of such  
895 district, which rates and charges shall not be subject to review  
896 or regulation by the Mississippi Public Service Commission except  
897 in those instances where a city operating similar services would  
898 be subject to regulation and review; however, the district may  
899 furnish services, including connection to the facilities of the  
900 district, free of charge to the county or any agency or department  
901 of the county and to volunteer fire departments located within the  
902 service area of the district. The district shall obtain a  
903 certificate of convenience and necessity from the Mississippi  
904 Public Service Commission for operating of water and/or sewer  
905 systems;

906 (f) To pledge all or any part of its revenues to the  
907 payment of its obligations;

908 (g) To make such covenants in connection with the  
909 issuance of bonds or to secure the payment of bonds that a private  
910 business corporation can make under the general laws of the state;

911 (h) To use any right-of-way, public right-of-way,  
912 easement, or other similar property or property rights necessary

913 or convenient in connection with the acquisition, improvement,  
914 operation or maintenance of the facilities of such district held  
915 by the state or any political subdivision thereof; however, the  
916 governing body of such political subdivision shall consent to such  
917 use;

918 (i) To enter into agreements with state and federal  
919 agencies for loans, grants, grants-in-aid, and other forms of  
920 assistance including, but not limited to, participation in the  
921 sale and purchase of bonds;

922 (j) To acquire by purchase any existing works and  
923 facilities providing services for which it was created, and any  
924 lands, rights, easements, franchises and other property, real and  
925 personal necessary to the completion and operation of such system  
926 upon such terms and conditions as may be agreed upon, and if  
927 necessary as part of the purchase price to assume the payment of  
928 outstanding notes, bonds or other obligations upon such system;

929 (k) To extend its services to areas beyond but within  
930 one (1) mile of the boundaries of such district; however, no such  
931 extension shall be made to areas already occupied by another  
932 corporate agency rendering the same service so long as such  
933 corporate agency desires to continue to serve such areas. Areas  
934 outside of the district desiring to be served which are beyond the  
935 one (1) mile limit must be brought into the district by annexation  
936 proceedings;

937 (l) To be deemed to have the same status as counties  
938 and municipalities with respect to payment of sales taxes on  
939 purchases made by such districts;

940 (m) To borrow funds for interim financing subject to  
941 receipt of funds as outlined in Section 19-5-181;

942 (n) To provide group life insurance coverage for all or  
943 specified groups of employees of the district and group  
944 hospitalization benefits for those employees and their dependents,  
945 and to pay the total cost of these benefits. For purposes of this  
946 paragraph, the term "employees" does not include any person who is  
947 a commissioner of a district created under Sections 19-5-151

948 through 19-5-207, and such commissioners are not eligible to  
949 receive any insurance coverage or benefits made available to  
950 district employees under this paragraph.

951 (2) Any district which is incorporated under Sections  
952 19-5-151 through 19-5-207 to provide sewer services may install or  
953 provide for the installation of sewage holding tanks at  
954 residential properties within the district, if funding for  
955 municipal or community sewers has been awarded to the district.  
956 The district shall maintain or provide for the maintenance of the  
957 sewage holding tank systems. \* \* \* When municipal or community  
958 sewers are available and ready for use, residences with sewage  
959 holding tanks shall be connected to the sewer system at the  
960 expense of the district.

961 **SECTION 21.** Section 41-67-8, Mississippi Code of 1972, which  
962 provides for the duties of the Permit Board when wastewater is  
963 discharged off-site, is repealed.

964 **SECTION 22.** Section 41-67-16, Mississippi Code of 1972,  
965 which required a study of all individual on-site wastewater  
966 disposal systems, is repealed.

967 **SECTION 23.** Section 41-67-31, Mississippi Code of 1972,  
968 which provides for the repeal of the "Mississippi Individual  
969 On-Site Wastewater Disposal System Law," is repealed.

970 **SECTION 24.** This act shall take effect and be in force from  
971 and after its passage.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTION 41-67-1, MISSISSIPPI CODE OF 1972, TO  
2 STATE PUBLIC POLICY REGARDING INDIVIDUAL ON-SITE WASTEWATER  
3 DISPOSAL SYSTEMS; TO AMEND SECTION 41-67-2, MISSISSIPPI CODE OF  
4 1972, TO DEFINE CERTAIN TERMS; TO AMEND SECTION 41-67-3,  
5 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE BOARD OF HEALTH  
6 SHALL DETERMINE THE SUITABILITY OF INDIVIDUAL ON-SITE WASTEWATER  
7 DISPOSAL SYSTEMS IN SUBDIVISIONS; TO REQUIRE BOARD OF HEALTH  
8 APPROVAL OF SYSTEMS BEFORE PUBLIC WATER SOURCE MAY BE CONNECTED TO  
9 SITE; TO AMEND SECTION 41-67-4, MISSISSIPPI CODE OF 1972, TO  
10 PROVIDE STANDARDS FOR THE BOARD OF HEALTH TO DETERMINE SUITABILITY  
11 OF INDIVIDUAL ON-SITE WASTEWATER DISPOSAL SYSTEMS WHEN COMPARED TO  
12 THE FEASIBILITY OF CENTRALIZED SYSTEMS IN SUBDIVISIONS; TO REMOVE  
13 THE AUTHORITY OF THE COMMISSION ON ENVIRONMENTAL QUALITY RELATING  
14 TO FEASIBILITY DETERMINATION OF CENTRALIZED SEWERAGE SYSTEMS; TO  
15 AMEND SECTION 41-67-6, MISSISSIPPI CODE OF 1972, TO REVISE  
16 INSTALLATION DEADLINES AND PROCEDURES; TO INCREASE THE

17 ADMINISTRATIVE PENALTY FOR INSTALLATION OF SYSTEMS IN VIOLATION OF  
18 LAW OR REGULATIONS; TO AMEND SECTION 41-67-11, MISSISSIPPI CODE OF  
19 1972, TO PROVIDE REQUIREMENTS FOR THE USE OF TEMPORARY INDIVIDUAL  
20 ON-SITE WASTEWATER DISPOSAL SYSTEMS; TO AMEND SECTION 41-67-15,  
21 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DEPARTMENT OF HEALTH  
22 SHALL NOT ENFORCE LOCAL ORDINANCES; TO PROVIDE THAT A BOARD OF  
23 SUPERVISORS MAY NOT RESTRICT OR PROHIBIT THE USE OF ANY TYPE OF  
24 INDIVIDUAL ON-SITE WASTEWATER DISPOSAL SYSTEM THAT THE DEPARTMENT  
25 RECOMMENDS AS SUITABLE FOR A TRACT OF LAND; TO AMEND SECTION  
26 41-67-25, MISSISSIPPI CODE OF 1972, TO REQUIRE PERFORMANCE BONDS  
27 FOR INSTALLERS AND TO PROVIDE A PENALTY FOR INSTALLERS WHO OPERATE  
28 WITHOUT CERTIFICATION FROM THE BOARD OF HEALTH; TO AMEND SECTION  
29 41-67-27, MISSISSIPPI CODE OF 1972, TO CLARIFY REGISTRATION  
30 REQUIREMENTS FOR MANUFACTURERS OF INDIVIDUAL ON-SITE WASTEWATER  
31 DISPOSAL SYSTEMS; TO AMEND SECTION 41-67-29, MISSISSIPPI CODE OF  
32 1972, TO REVISE THE APPELLATE PROCEDURE FOR PERSONS AGGRIEVED BY  
33 DECISIONS OF THE DEPARTMENT OF HEALTH; TO CONFORM APPEALS  
34 PROCEDURE TO STANDARD APPELLATE PROCESS OF THE DEPARTMENT OF  
35 HEALTH; TO AMEND SECTIONS 41-67-5, 41-67-7, 41-67-9 AND 41-67-10,  
36 MISSISSIPPI CODE OF 1972, TO CONFORM; TO PROVIDE FOR THE  
37 CERTIFICATION OF MAINTENANCE PROVIDERS; TO PROVIDE FOR THE  
38 LICENSING OF PERSONS REMOVING AND DISPOSING OF SLUDGE FROM  
39 INDIVIDUAL ON-SITE WASTEWATER DISPOSAL SYSTEMS; TO REQUIRE  
40 CERTIFICATION OF CERTIFIED PROFESSIONAL EVALUATORS; TO ESTABLISH  
41 REQUIREMENTS FOR CERTIFIED PROFESSIONAL EVALUATORS; TO AMEND  
42 SECTIONS 19-5-173 AND 19-5-177, MISSISSIPPI CODE OF 1972, TO  
43 PROVIDE THAT WASTEWATER DISPOSAL DISTRICTS SHALL PAY FOR THE  
44 EXPENSE OF CONNECTING TO A CENTRALIZED SYSTEM IF THE DISTRICT  
45 REQUIRES AN OWNER OF AN INDIVIDUAL ON-SITE WASTEWATER DISPOSAL  
46 SYSTEM TO CONNECT TO THE CENTRALIZED SYSTEM; TO PROHIBIT THE  
47 DISTRICT FROM CHARGING A FEE FOR THE MAINTENANCE OR INSPECTION OF  
48 AN INDIVIDUAL ON-SITE WASTEWATER DISPOSAL SYSTEM; TO REPEAL  
49 SECTION 41-67-8, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR  
50 DUTIES OF THE PERMIT BOARD WHEN WASTE IS DISCHARGED OFF-SITE; TO  
51 REPEAL SECTION 41-67-16, MISSISSIPPI CODE OF 1972, WHICH REQUIRED  
52 A STUDY OF ALL INDIVIDUAL ON-SITE WASTEWATER DISPOSAL SYSTEMS; TO  
53 REPEAL SECTION 41-67-31, MISSISSIPPI CODE OF 1972, WHICH PROVIDES  
54 FOR THE REPEAL OF THE "MISSISSIPPI INDIVIDUAL ON-SITE WASTEWATER  
55 DISPOSAL SYSTEM LAW"; AND FOR RELATED PURPOSES.

SS01\HB287A.J

John O. Gilbert  
Secretary of the Senate