H-1935.2

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**SUBSTITUTE HOUSE BILL 1503**

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**State of Washington 65th Legislature 2017 Regular Session**

**By** House Environment (originally sponsored by Representatives Short, Taylor, Van Werven, Buys, Haler, Kraft, and Hargrove)

AN ACT Relating to preventing unfunded mandates involving on-site sewage systems from affecting local governments and property owners; adding a new section to chapter 36.70A RCW; adding a new section to chapter 70.118A RCW; and adding a new section to chapter 70.05 RCW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  A new section is added to chapter 36.70A RCW to read as follows:

This chapter, including but not limited to RCW 36.70A.070 (1) and (5), does not preclude certain counties from authorizing inspections of on-site sewage systems to be conducted, in appropriate circumstances, by a homeowner, a homeowner's family member, or a homeowner's tenant that has completed certification requirements specified by the county. If a county, the department of ecology, or a local health jurisdiction has identified a water quality problem that is linked to poorly functioning on-site sewage systems, a county ordinance that authorizes the self-inspection of an on-site sewage system may only do so consistent with the following conditions:

(1) The on-site sewage system is not in an area that has been designated pursuant to RCW 70.118A.040;

(2) The on-site sewage system treats sewage only from a residential source that is either a single-family residence or a duplex;

(3) The on-site sewage system uses a gravity flow subsurface absorption system that does not rely on electrical components in order to function;

(4) The on-site sewage system is not being operated pursuant to a permit issued, consistent with WAC 246-272A-0280 as it existed as of the effective date of this section, to a system that has previously failed;

(5) The person performing the inspection of the on-site sewage system is the owner of the property, a family member of the owner of the property, or a resident of the property; and

(6) The local health jurisdiction makes available educational materials, training opportunities, and reasonable levels of technical assistance in support of property owners choosing to self-inspect their residential on-site sewage systems.

NEW SECTION. **Sec.**  A new section is added to chapter 70.118A RCW to read as follows:

Nothing in this chapter prohibits a county from relying on self-inspection of on-site sewage systems consistent with section 1 of this act for the purposes of protecting the quality or quantity of surface or groundwater resources under chapter 36.70A RCW.

NEW SECTION. **Sec.**  A new section is added to chapter 70.05 RCW to read as follows:

Nothing in this chapter prohibits a county from relying on self-inspection of on-site sewage systems consistent with section 1 of this act for the purposes of protecting the quality or quantity of surface or groundwater resources under chapter 36.70A RCW.

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