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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)

READ FIRST TIME 02/17/17.

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

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 36.70A  
7 RCW to read as follows:

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

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

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

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

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

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

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

18 NEW SECTION. **Sec. 2.** A new section is added to chapter 70.118A  
19 RCW to read as follows:

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

24 NEW SECTION. **Sec. 3.** A new section is added to chapter 70.05  
25 RCW to read as follows:

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

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