



HOUSE BILL 381: On-Site Wastewater System Amendments.

2025-2026 General Assembly

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| Committee: | House Rules, Calendar, and Operations of the House | Date: | April 28, 2025 |
| Introduced by: | Reps. Warren, Huneycutt, Gillespie, Zenger | Prepared by: | Kyle Evans |
| Analysis of: | Third Edition | | Committee Counsel |

OVERVIEW: *House Bill 381 would narrow one process by which on-site wastewater systems can be approved as innovative wastewater systems to only apply to advanced pretreatment systems, provided that the advanced pretreatment systems meet certain testing and performance requirements.*

CURRENT LAW:

The Commission for Public Health (Commission) is responsible for adopting rules for the approval and permitting of innovative, conventional, provisional, and accepted wastewater systems. Wastewater systems can be approved as innovative systems if (1) the system has been approved as a provisional system and has completed the appropriate evaluation protocol, (2) the system has met the requirements for an innovative system based on comparable research and testing conducted in other states, or (3) the system has been evaluated under protocol established by a nationally recognized certification body for at least two consecutive years, meets certain performance criteria, and is installed consistent with evaluation.

BILL ANALYSIS:

Section 1 would redefine "pretreatment" as "advanced pretreatment," and clarify that advanced pretreatment systems can be used in addition to or in place of a septic tank and require that the advanced pretreatment effluent meets the Commission-set standards for better than septic tank effluent quality. This section also makes various conforming changes, including clarifying that the system is part of a ground absorption system.

Section 2 would narrow the innovative system approval process for systems approved based on evaluation established by a nationally recognized certification body to apply only to advanced pretreatment systems. This section would provide that advanced pretreatment systems can be approved as innovative if the system has been approved under protocol established by a nationally recognized certification body, and the Department of Health and Human Services has verified that testing data meets certain requirements, the national body has approved the system, and the design and installation of the system are consistent with the approval.

The Commission for Public Health would be authorized to adopt temporary and permanent rules to implement this section.

EFFECTIVE DATE: This bill would be effective when it becomes law and would apply to applications for innovative wastewater system approval filed with the Commission on or after that date.

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