



# HOUSE BILL 495: Prohibit Municipal Regs/Offsite Easements.

2019-2020 General Assembly

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<b>Committee:</b>	House State and Local Government. If favorable, re-refer to Rules, Calendar, and Operations of the House	<b>Date:</b>	April 9, 2019
<b>Introduced by:</b>	Rep. McElraft	<b>Prepared by:</b>	Billy R. Godwin Staff Attorney
<b>Analysis of:</b>	PCS to First Edition H495-CSBD-12		

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**OVERVIEW:** *House Bill 495 (proposed committee substitute) would prohibit a municipality from enacting or enforcing an existing ordinance regulating use of off-site wastewater systems approved by the Department of Health and Human Services.*

*The PCS would remove the retroactive application of the act.*

**CURRENT LAW:** Article 11 of Chapter 130A of the General Statutes provides for regulation, by the Department of Health and Human Services, of wastewater collection, treatment, and disposal systems, under rules adopted by the Public Health Commission or a local public health commission. A wastewater system is a system of wastewater collection, treatment, and disposal in single or multiple components, including a ground absorption system, privy, septic tank system, public or community wastewater system, wastewater reuse or recycle system, mechanical or biological wastewater treatment system, any other similar system, and any chemical toilet used only for human waste.

**BILL ANALYSIS:** The PCS to House Bill 495 would prohibit a municipality from enacting an ordinance or enforcing an existing ordinance that regulates the use of off-site wastewater systems that have been approved by the Department of Health and Human Services under rules adopted by the Public Health Commission as long as the system is in compliance with the approved conditions.

**EFFECTIVE DATE:** The act would become effective when the bill becomes law.

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