



HOUSE BILL 495: Prohibit Municipal Regs/Offsite Easements.

2019-2020 General Assembly

Committee:	House Rules, Calendar, and Operations of the House	Date:	April 15, 2019
Introduced by:	Rep. McElraft	Prepared by:	Jeremy Ray*
Analysis of:	Second Edition		Staff Attorney

OVERVIEW: *House Bill 495 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.*

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: 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.

**Billy Godwin, Staff Attorney for the Legislative Analysis Division, substantially contributed to this summary.*

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578