

EHB 1723

1 THE STATE SENATE
2 Tuesday, April 3, 2001

3 ENGROSSED

4 House Bill No. 1723

5 As Amended

6 ENGROSSED HOUSE BILL NO. 1723 - By: RICE of the House and EASLEY of
7 the Senate.

8 [professions and occupations - amending 59 O.S., Section
9 46.3 - State Architectural Act - effective date -
10 emergency]

11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 1. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 1150.14 of Title 59, unless
14 there is created a duplication in numbering, reads as follows:

15 Individuals registered under the Oklahoma Sanitarian and
16 Environmental Special Registration Act who are employed by the State
17 of Oklahoma shall not perform soil tests to design sewage disposal
18 systems for compensation. This section shall not preclude the State
19 of Oklahoma from receiving compensation for soil tests performed by
20 these individuals as part of their official state employment duties.

21 SECTION 2. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 1158 of Title 59, unless there
23 is created a duplication in numbering, reads as follows:

24 A. On and after July 1, 2002, any person subject to the
25 provisions of this section, before engaging in the installation of

1 individual sewage disposal systems, shall first obtain certification
2 from the Department of Environmental Quality under such rules as may
3 be promulgated by the Environmental Quality Board. The rules shall
4 include, but not be limited to, the following:

- 5 1. Establishment of categories of installers;
- 6 2. Establishment of minimum requirements for certification;
- 7 3. Establishment of bonding requirements;
- 8 4. Establishment of a procedure and schedule for the assessment
9 of penalties for failure to comply with this section or rules
10 promulgated pursuant thereto;
- 11 5. Establishment of procedures for suspension, revocation and
12 non-renewal of a certification; and
- 13 6. A requirement that an annual fee, as set by the
14 Environmental Quality Board pursuant to Section 2-3-402 of Title 27A
15 of the Oklahoma Statutes, shall be paid to the Department of
16 Environmental Quality for each certification.

17 B. The Water Quality Management Advisory Council shall
18 recommend proposed rules to the Environmental Quality Board pursuant
19 to Section 2-2-201 of Title 27A of the Oklahoma Statutes.

20 C. The Department of Environmental Quality may, after notice
21 and opportunity for a hearing pursuant to the Administrative
22 Procedures Act, assess administrative penalties and may revoke,

1 suspend or deny renewal of the certification of an installer
2 pursuant to Section 2-3-502 of Title 27A of the Oklahoma Statutes.

3 D. As used in this section, "individual sewage disposal system"
4 means a sewage disposal system which serves one individual residence
5 or duplex and is not available for use by the general public".

6 The provisions of this section shall only apply to persons who
7 install more than ten (10) individual sewage disposal systems per
8 calendar year.

9 SECTION 3. This act shall become effective July 1, 2001.

10 SECTION 4. It being immediately necessary for the preservation
11 of the public peace, health and safety, an emergency is hereby
12 declared to exist, by reason whereof this act shall take effect and
13 be in full force from and after its passage and approval.

14 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS & LABOR, dated 3-26-01 -
15 DO PASS, As Amended.