

1 ENGROSSED SENATE
2 BILL NO. 1759

By: Paxton of the Senate

3 and

4 Burns of the House

5
6 An Act relating to contractors; amending 59 O.S.
7 2021, Section 1158, which relates to installers of
8 individual sewage disposal systems; changing
9 specified amount needed for required certification;
10 updating statutory language; and providing an
11 effective date.

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

13 SECTION 1. AMENDATORY 59 O.S. 2021, Section 1158, is
14 amended to read as follows:

15 Section 1158. A. On and after July 1, 2002, any person, before
16 engaging in the installation of individual sewage disposal systems,
17 shall first obtain certification from the Department of
18 Environmental Quality under such rules as may be promulgated by the
19 Environmental Quality Board. The provisions of this subsection
20 shall ~~only~~ apply to persons who install more than ~~ten~~ one individual
21 sewage disposal systems per calendar year. As used in this section,
22 "individual sewage disposal ~~systems~~" system" means a sewage disposal
23 system that serves an individual residence or duplex and is not
24 available for use by the general public.

1 B. Environmental ~~Specialists~~ specialists employed by the
2 Department of Environmental Quality may perform soil profile
3 descriptions to design individual and other subsurface sewage
4 disposal systems. Any other individual choosing to perform soil
5 profile descriptions to design individual and other subsurface
6 sewage disposal systems shall first be certified by the Department
7 of Environmental Quality under such rules as may be promulgated by
8 the Environmental Quality Board.

9 C. The Environmental Quality Board shall promulgate rules that
10 shall include, but not be limited to, the following:

11 1. Establishment of minimum requirements for each type of
12 certification;

13 2. Establishment of a procedure and schedule for the assessment
14 of penalties for failure to comply with this section or rules
15 promulgated pursuant thereto;

16 3. Establishment of procedures for suspension, revocation and
17 nonrenewal of a certification; and

18 4. A requirement that an annual fee, as set by the
19 Environmental Quality Board pursuant to Section 2-3-402 of Title 27A
20 of the Oklahoma Statutes, shall be paid to the Department of
21 Environmental Quality for each certification.

22 D. The Water Quality Management Advisory Council shall
23 recommend proposed rules to the Environmental Quality Board pursuant
24 to Section 2-2-201 of Title 27A of the Oklahoma Statutes.

1 E. The Department of Environmental Quality may, after notice
2 and opportunity for a hearing pursuant to the Administrative
3 Procedures Act, assess administrative penalties and may revoke,
4 suspend or deny renewal of a certification pursuant to Section 2-3-
5 502 of Title 27A of the Oklahoma Statutes for any violation of this
6 section or rules promulgated pursuant thereto. Such administrative
7 penalties shall be deposited as provided in Section 2-3-401 of Title
8 27A of the Oklahoma Statutes.

9 SECTION 2. This act shall become effective November 1, 2024.

10 Passed the Senate the 5th day of March, 2024.

11
12 _____
13 Presiding Officer of the Senate

14 Passed the House of Representatives the ____ day of _____,
15 2024.

16
17 _____
18 Presiding Officer of the House
19 of Representatives
20
21
22
23
24