

HB 200 -- SEWAGE DISPOSAL

SPONSOR: Falkner

COMMITTEE ACTION: Voted "Do Pass by Consent" by the Standing Committee on Local Government by a vote of 12 to 0. Voted "Do Pass" by the Standing Committee on Consent and Procedure by a vote of 6 to 0.

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Currently, a State standard for the location, size of sewage tanks, and length of lateral lines is based partially on the percolation or permeability rate of the soil, as well as other specified factors. This bill modifies this provision to state that the standard is based partially on soil properties.

Currently, soil tests are to be performed by persons who are qualified to perform the percolation tests. This bill instead authorizes on-site soil evaluators registered by the Department of Health and Senior Services to conduct soil morphology evaluations. The bill repeals a provision allowing contractors to be taught and perform percolation tests.

The bill creates a mandatory registration program requiring continuing education until January 1, 2026, for on-site wastewater treatment system professionals qualified to perform percolation tests in accordance with the state standard. The administrative authority may accept a percolation test at its own discretion until January 1, 2026, if a soil morphology evaluation cannot be reasonably obtained.

Any person who intends to construct or make major modifications or repairs to an on-site sewage disposal system must submit an application fee and obtain a construction permit. This bill repeals the provision stating that the fee for on-site sewage modification and repair may be no greater than necessary to cover the cost to implement the state standard for on-site sewage disposal systems and the registration of contractors.

Currently, the Department must establish the fee for on-site sewage disposal system modification and repair by rule at an amount no greater than \$90 and may charge an additional fee as necessary to cover the expenses of training contractors to perform the percolation tests. The bill allows that the Department instead may promulgate regulations establishing the conditions and requirements for the construction permit application including the collection of reasonable fees set at a level to produce revenue not exceeding the cost and expense of administering the program.

This bill is similar to HB 2083 (2024).

PROPOSERS: Supporters say that this bill removes a lot of red tape. Current law requires a percolation test to be done even though it won't produce much useful information. Soil morphology tests are normally performed anyway because they are necessary to install a septic system. This bill removes the requirement to perform and pay for the unnecessary test and requires the necessary one that's usually already being performed. Currently local public health authorities are losing funds because they have to perform both tests and fees are capped. Removing the cap is designed to make this net neutral to the health authorities.

Testifying in person for the bill were Representative Falkner; Arnie Dienoff; Missouri Center for Public Health Excellence.

OPPOSERS: There was no opposition voiced to the committee.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.