SS SB 914 -- SEWAGE REGULATION

SPONSOR: Gregory (21)

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Local Government by a vote of 16 to 0. Voted "Do Pass" by the Standing Committee on Rules-Administrative by a vote of 10 to 0.

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 individuals 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, 2027, for on-site wastewater treatment system professionals qualified to perform percolation tests in accordance with the state standard. The administrative authority can accept a percolation test at its own discretion until January 1, 2027, 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 must 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 can 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 can 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 200 (2025) and HB 2083 (2024).

PROPONENTS: Supporters say that percolation tests provide information irrelevant to the installation of a septic system. Requiring such tests means consumers have to pay for a test that isn't useful. For proper installation of a septic system, a soil morphology test is necessary. Preventing groundwater contamination protects both the consumer and the community, as it is a public health hazard and costly to remediate. Most reputable professionals will require a soil morphology test already; this eliminates the requirement to pay for the superfluous test.

Testifying in person for the bill were Senator Gregory; Missouri Public Health Institute; and Eric Folks, Missouri Smallflows Organization.

OPPONENTS: 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.