

2015 Regular Session

HOUSE BILL NO. 300

BY REPRESENTATIVE DOVE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

SEWERAGE: Provides for the installation and maintenance of aerobic sewage treatment systems by property owners

1 AN ACT

2 To amend and reenact R.S. 40:1156, relative to the installation and maintenance of aerobic
3 sewage treatment systems; to permit a property owner to install an aerobic sewage
4 treatment system after meeting certain criteria; to exempt a property owner from
5 certain licensing requirements to maintain an aerobic sewage treatment system; to
6 clarify the term property owner; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 40:1156 is hereby amended and reenacted to read as follows:

9 §1156. Installation and maintenance of individual aerobic sewage treatment systems
10 by homeowners or property owners; waiver of fees

11 A. A homeowner or property owner who wishes to perform the installation
12 of an individual aerobic sewage treatment system in his own home or property
13 himself may do so only after satisfying any installation education requirements,
14 certification or licensure requirements, or any other requirements under rules and
15 regulations promulgated by the Department of Health and Hospitals on that subject.
16 However, if a homeowner or property owner does so wish to become certified to
17 safely install an individual aerobic sewage treatment system in his own home or on
18 his own property, the department shall waive any and all fees usually charged
19 commercial installers of such systems.

1 B. A homeowner or property owner who wishes to perform maintenance of
 2 his own individual aerobic sewage treatment system which services his home or
 3 property, after completing the department's homeowner maintenance certification
 4 program and license requirements, shall be exempt from the requirement of
 5 obtaining an endorsement from the manufacturer for the brand of plant the
 6 homeowner or property owner wishes to maintain. However, nothing in this Section
 7 shall be construed to exempt the homeowner or property owner from the requirement
 8 to install appropriate, approved replacement components when such are required to
 9 maintain the performance of the system. A homeowner or property owner who
 10 maintains his own aerobic sewage treatment system shall be responsible for the
 11 system's proper operation.

12 C. For the purposes of this Section, "property owner" includes a shareholder
 13 of a corporation or limited liability company that owns the property.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 300 Original

2015 Regular Session

Dove

Abstract: Provides for the installation and maintenance of aerobic sewage treatment systems by property owners.

Present law authorizes a homeowner to perform the installation of an individual aerobic sewage treatment system in his own home after satisfying any installation education requirements, certification or licensure requirements, or any other requirements under rules and regulations promulgated by the Dept. of Health and Hospitals (DHH). Further requires DHH to waive the fees usually charged commercial installers of such systems.

Proposed law retains present law and adds a property owner who installs an individual aerobic sewage treatment system on his own property.

Present law exempts a homeowner from the requirement of obtaining an endorsement from the manufacturer for the brand of plant the homeowner wishes to maintain if the homeowner completes DHH's homeowner maintenance certification program and license requirements.

Proposed law retains present law and adds a property owner who installs an individual aerobic sewage treatment system on his own property.

Present law requires the homeowner to install appropriate, approved replacement components when such are required to maintain the performance of the system and provides that a homeowner who maintains his own aerobic sewage treatment system is responsible for the system's proper operation.

Proposed law retains present law and adds a property owner who installs an individual aerobic sewage treatment system on his own property.

Proposed law defines "property owner" to include a shareholder of a corporation or limited liability company that owns the property.

(Amends R.S. 40:1156)