

# HOUSE BILL 747

M3, N1

5lr2277

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By: **Delegate Guyton**

Introduced and read first time: January 27, 2025

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Environment – On-Site Wastewater Systems – Requirements for Inspection and**  
3 **Pumping Services**

4 FOR the purpose of requiring a landlord of property that is served by a certain on-site  
5 wastewater system to ensure, on or before a certain date and before each new tenant  
6 occupies the property thereafter, that the system has been inspected and pumped  
7 out in a certain manner; requiring a contract for the sale of real property that is  
8 served by an on-site wastewater system, beginning on a certain date, to include a  
9 provision requiring, as a condition of the sale, that the purchaser has ensured that  
10 the system has been inspected and pumped out in a certain manner; and generally  
11 relating to on-site wastewater systems.

12 BY repealing and reenacting, without amendments,  
13 Article – Environment  
14 Section 9–11A–01(a) and (e)  
15 Annotated Code of Maryland  
16 (2014 Replacement Volume and 2024 Supplement)

17 BY adding to  
18 Article – Real Property  
19 Section 8–121 and 10–715  
20 Annotated Code of Maryland  
21 (2023 Replacement Volume and 2024 Supplement)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
23 That the Laws of Maryland read as follows:

24 **Article – Environment**

25 9–11A–01.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) In this subtitle the following words have the meanings indicated.

2 (e) (1) “On-site wastewater system” means:

3 (i) A wastewater system designed to treat and dispose of effluent on:

4 1. The same property that produces the wastewater; or

5 2. An easement; or

6 (ii) A holding tank.

7 (2) Except as provided in paragraph (3) of this subsection, “on-site  
8 wastewater system” includes a septic or any other on-site sewage disposal system.

9 (3) “On-site wastewater system” does not include a wastewater treatment  
10 system that:

11 (i) Requires a discharge permit from the Department; or

12 (ii) Treats 5,000 or more gallons per day.

### 13 Article – Real Property

14 **8–121.**

15 (A) **IN THIS SECTION, “ON-SITE WASTEWATER SYSTEM” HAS THE MEANING**  
16 **STATED IN § 9–11A–01 OF THE ENVIRONMENT ARTICLE.**

17 (B) **ON OR BEFORE JANUARY 1, 2026, AND BEFORE EACH NEW TENANT**  
18 **OCCUPIES THE PROPERTY THEREAFTER, A LANDLORD OF PROPERTY THAT IS**  
19 **SERVED BY AN ON-SITE WASTEWATER SYSTEM SHALL ENSURE THAT THE SYSTEM**  
20 **HAS BEEN:**

21 (1) **INSPECTED BY AN INDIVIDUAL WHO IS LICENSED UNDER TITLE 9,**  
22 **SUBTITLE 11A OF THE ENVIRONMENT ARTICLE TO PERFORM PROPERTY TRANSFER**  
23 **INSPECTIONS FOR ON-SITE WASTEWATER SYSTEMS; AND**

24 (2) **PUMPED OUT BY AN INDIVIDUAL WHO IS LICENSED UNDER TITLE**  
25 **9, SUBTITLE 11A OF THE ENVIRONMENT ARTICLE TO PERFORM PUMPING SERVICES**  
26 **FOR ON-SITE WASTEWATER SYSTEMS.**

27 (C) **FOR PURPOSES OF MEETING THE REQUIREMENTS UNDER SUBSECTION**  
28 **(B) OF THIS SECTION, A PROPERTY TRANSFER INSPECTION OR PUMPING SERVICE**

1 PERFORMED IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION IS VALID FOR  
2 3 YEARS.

3 10-715.

4 (A) IN THIS SECTION, "ON-SITE WASTEWATER SYSTEM" HAS THE MEANING  
5 STATED IN § 9-11A-01 OF THE ENVIRONMENT ARTICLE.

6 (B) (1) BEGINNING JANUARY 1, 2026, A CONTRACT FOR THE SALE OF  
7 REAL PROPERTY THAT IS SERVED BY AN ON-SITE WASTEWATER SYSTEM SHALL  
8 INCLUDE A PROVISION REQUIRING, AS A CONDITION OF THE SALE, THAT THE  
9 PURCHASER ENSURE THAT THE SYSTEM HAS BEEN:

10 (I) INSPECTED BY AN INDIVIDUAL WHO IS LICENSED UNDER  
11 TITLE 9, SUBTITLE 11A OF THE ENVIRONMENT ARTICLE TO PERFORM PROPERTY  
12 TRANSFER INSPECTIONS FOR ON-SITE WASTEWATER SYSTEMS; AND

13 (II) PUMPED OUT BY AN INDIVIDUAL WHO IS LICENSED UNDER  
14 TITLE 9, SUBTITLE 11A OF THE ENVIRONMENT ARTICLE TO PERFORM PUMPING  
15 SERVICES FOR ON-SITE WASTEWATER SYSTEMS.

16 (2) (I) SETTLEMENT ON THE CONTRACT FOR THE SALE OF THE  
17 REAL PROPERTY MAY NOT OCCUR UNTIL THE VENDOR AND THE PURCHASER  
18 RECEIVE A REPORT ON THE PROPERTY TRANSFER INSPECTION PERFORMED UNDER  
19 PARAGRAPH (1)(I) OF THIS SUBSECTION AND CONFIRMATION OF THE PUMPING  
20 SERVICE PERFORMED UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION.

21 (II) AT SETTLEMENT ON THE CONTRACT FOR THE SALE OF THE  
22 REAL PROPERTY, THE VENDOR AND THE PURCHASER SHALL EACH CERTIFY IN  
23 WRITING THAT THEY HAVE RECEIVED AND REVIEWED THE REPORT AND  
24 CONFIRMATION REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.

25 (C) UNLESS OTHERWISE REQUIRED AS PART OF A REAL ESTATE CONTRACT  
26 OR MORTGAGE REQUIREMENT, FOR PURPOSES OF MEETING THE REQUIREMENTS  
27 UNDER SUBSECTION (B)(1) OF THIS SECTION, A PROPERTY TRANSFER INSPECTION  
28 OR PUMPING SERVICE PERFORMED IN ACCORDANCE WITH SUBSECTION (B)(1) OF  
29 THIS SECTION IS VALID FOR 3 YEARS.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
31 October 1, 2025.