1 HOUSE OF REPRESENTATIVES - FLOOR VERSION STATE OF OKLAHOMA 2 2nd Session of the 59th Legislature (2024) 3 ENGROSSED SENATE 4 BILL NO. 1759 By: Paxton of the Senate 5 and 6 Burns of the House 7 8 9 An Act relating to contractors; amending 59 O.S. 2021, Section 1158, which relates to installers of individual sewage disposal systems; changing 10 specified amount needed for required certification; updating statutory language; and providing an 11 effective date. 12 13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA: 14 SECTION 1. 59 O.S. 2021, Section 1158, is 15 AMENDATORY amended to read as follows: 16 Section 1158. A. On and after July 1, 2002, any person, before 17 engaging in the installation of individual sewage disposal systems, 18 shall first obtain certification from the Department of 19 Environmental Quality under such rules as may be promulgated by the 20 Environmental Quality Board. The provisions of this subsection 21 shall only apply to persons who install more than ten one individual 22 sewage disposal systems per calendar year. As used in this section, 23 "individual sewage disposal systems" system" means a sewage disposal 24

- 1 system that serves an individual residence or duplex and is not 2 available for use by the general public.
- 3 В. Environmental Specialists specialists employed by the Department of Environmental Quality may perform soil profile 4 5 descriptions to design individual and other subsurface sewage disposal systems. Any other individual choosing to perform soil 6 profile descriptions to design individual and other subsurface 7 sewage disposal systems shall first be certified by the Department 9 of Environmental Quality under such rules as may be promulgated by the Environmental Quality Board. 10
- 11 C. The Environmental Quality Board shall promulgate rules that
 12 shall include, but not be limited to, the following:
 - 1. Establishment of minimum requirements for each type of certification;
 - 2. Establishment of a procedure and schedule for the assessment of penalties for failure to comply with this section or rules promulgated pursuant thereto;
 - 3. Establishment of procedures for suspension, revocation and nonrenewal of a certification; and
- 4. A requirement that an annual fee, as set by the
 Environmental Quality Board pursuant to Section 2-3-402 of Title 27A
 of the Oklahoma Statutes, shall be paid to the Department of
 Environmental Quality for each certification.

24

13

14

15

16

17

18

19

1	D. The Water Quality Management Advisory Council shall
2	recommend proposed rules to the Environmental Quality Board pursuant
3	to Section 2-2-201 of Title 27A of the Oklahoma Statutes.
4	E. The Department of Environmental Quality may, after notice
5	and opportunity for a hearing pursuant to the Administrative
6	Procedures Act, assess administrative penalties and may revoke,
7	suspend or deny renewal of a certification pursuant to Section 2-3-
8	502 of Title 27A of the Oklahoma Statutes for any violation of this
9	section or rules promulgated pursuant thereto. Such administrative
10	penalties shall be deposited as provided in Section 2-3-401 of Title
11	27A of the Oklahoma Statutes.
12	SECTION 2. This act shall become effective November 1, 2024.
13	
14	COMMITTEE REPORT BY: COMMITTEE ON BUSINESS AND COMMERCE, dated 04/03/2024 - DO PASS.
15	
16	
17	
18	
19	
20	
21	
22	
23	

24