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HOUSE BILL NO. 2061

House Amendments in [] — January 23, 2001

A BILL to amend the Code of Virginia by adding in Title 59.1 a chapter numbered 24.2, consisting of sections numbered 59.1-310.7 through 59.1-310.10, relating to septic system inspectors; penalty.

Patron Prior to Engrossment—Delegate McQuigg

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 59.1 a chapter numbered 24.2, consisting of sections numbered 59.1-310.7 through 59.1-310.10, as follows:

CHAPTER 24.2.**SEPTIC SYSTEM INSPECTORS.****§ 59.1-310.7. Definitions.**

As used in this chapter unless the context requires otherwise:

"Accredited septic system inspector" means a person who possesses the qualifications required by the provisions of this chapter.

"Person" means an individual, partnership, corporation, association, or other entity.

"Septic system" means an onsite method of disposing of sewage when sewers or sewerage facilities are not available and includes septic tanks, septic tank lines and drainage fields or other onsite, residential sewage systems.

§ 59.1-310.8. Exceptions.

This chapter shall not be construed to prohibit:

1. The work of an employee or a subordinate of an accredited septic system inspector;

2. The practice of any profession or occupation that is regulated by a regulatory board within the Department of Professional and Occupational Regulation or other state agency; or

3. The work of employees of the Department of Health in carrying out their regulatory duties under Chapter 6 (§ 32.1-163 et seq.) of Title 32.1.

§ 59.1-310.9. Requirements for accredited septic system inspectors.

In order to use the title of "accredited septic system inspector" in connection with any real estate transaction, including refinancings, an applicant shall be accredited by the National Sanitation Foundation or an equivalent national accrediting organization, which accreditation shall include the passage of both a written and practical examination on the principles and practice of septic system inspections. In addition, the applicant shall satisfy the following requirements:

1. Hold a high school diploma or equivalent; and

2. Have evidence of at least one year of active field experience conducting onsite septic systems inspections or completion of a nationally approved training course.

§ 59.1-310.10. Penalty for violation.

No person shall use the title "accredited septic system inspector" unless he meets the requirements of this chapter. Any person who violates the provisions of this chapter shall be guilty of a Class 3 misdemeanor.

[2. That the provisions of this act shall become effective on July 1, 2002.]

ENGROSSED

HB2061E