

**HOUSE BILL NO. 1541**

Introduced by

Representatives Koppelman, K. Anderson, Grueneich, Hagert, Nelson, Monson, Satrom,  
Weisz

Senators Magrum, Myrdal, Klein, Thomas

1 A BILL for an Act to create and enact a new chapter to title 23.1 of the North Dakota Century  
2 Code, relating to sewer, septic, and private water systems and the environmental quality  
3 advisory committee; to repeal sections 23-35-02.2 and 23-35-02.3 of the North Dakota Century  
4 Code, relating to the onsite wastewater recycling technical committee; and to provide a transfer.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1.** A new chapter to title 23.1 of the North Dakota Century Code is created and  
7 enacted as follows:

8 **Sewer, septic, and private water systems - Authority.**

9 Notwithstanding any other provision of law, the department of environmental quality has the  
10 exclusive authority to adopt rules regarding licensing, permitting, and inspections of sewer,  
11 septic, and private water systems and shall provide assistance and guidance to the department  
12 of health and human services, water districts, municipalities, and local health boards in all  
13 matters related to sewer, septic, and private water systems.

14 **Environmental quality advisory committee - Members - Appointment - Duties.**

- 15 1. The environmental quality advisory committee consists of:  
16 a. The director of the department of environmental quality or the director's designee;  
17 b. Three representatives from local public health units, appointed by the governor;  
18 and  
19 c. Three individuals who must be licensed septic installers, appointed by the  
20 governor from a list of names forwarded by a professional onsite wastewater  
21 recycling association.  
22 2. An appointed member must have been a resident of the state for at least five years  
23 immediately preceding appointment to the committee.

1       3. The director or the director's designee shall serve as chairman of the board and is an  
2       ex officio member of the board.

3       4. The committee shall:

4           a. Recommend standards and procedures relating to licensing, permitting, and  
5           inspections of sewer, septic, and private water systems, including a requirement  
6           for proposed inspections to be completed within one business day.

7           b. Create and recommend a statewide technical guide for sewer, septic, and private  
8           water systems.

9       **Environmental quality advisory committee - Members - Terms of office - Vacancies.**

10       Each appointed member of the committee shall qualify by taking the oath of office required  
11 of civil officers and shall hold office for a term of four years and until a successor is appointed  
12 and qualified. The terms of office of the appointed members must be arranged so no more than  
13 two terms expire on June thirtieth of each year. To accomplish the staggering, the initial term of  
14 appointees may be for less than four years. The governor shall fill a vacancy on the board by  
15 appointment from the class of members to which the member belonged.

16       **Certain septic, sewer, and private water systems exempt.**

17       This chapter does not apply to any septic, sewer, or private water system constructed,  
18 produced, or installed before August 1, 2025, or the extension of such a system.

19       **SECTION 2. REPEAL.** Sections 23-35-02.2 and 23-35-02.3 of the North Dakota Century  
20 Code are repealed.

21       **SECTION 3. TRANSFER - FUNDS UNDER THE CONTROL OF THE STATE BOARD OF**  
22 **PLUMBING TO DEPARTMENT OF ENVIRONMENTAL QUALITY - SEPTIC SYSTEMS.** The

23 state board of plumbing shall transfer any remaining funds at the end of the biennium, from the  
24 state plumbing board fund relating to the regulation of septic tanks and septic systems, to the  
25 department of environmental quality operating fund for the purpose of the regulation of septic  
26 tanks and septic systems.