

Senate File 2255

S-5050

1 Amend Senate File 2255 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. NEW SECTION. **455B.241 Definitions.**

5 As used in this part 3 of subchapter III, unless the context
6 otherwise requires:

7 1. "*Certified technician*" means a person who is certified
8 in accordance with the manufacturer to monitor, maintain, and
9 inspect the system.

10 2. "*Class A proprietary treatment system*" or "*class A system*"
11 means a media-based or passive secondary treatment system
12 including but not limited to a peat moss biofilter, coconut
13 fiber filter, synthetic foam filter, polystyrene bead media
14 filter, or textile filter.

15 3. "*Class B proprietary treatment system*" or "*class B system*"
16 means a secondary treatment system that relies on mechanical
17 aeration.

18 4. "*Proprietary treatment system*" means either a class A
19 or class B system that is certified by an accreditation body,
20 including certification meeting national sanitation foundation
21 standard 40 class I.

22 Sec. 2. NEW SECTION. **455B.242 Monitoring and maintenance**
23 **requirements.**

24 1. Prior to the installation of a proprietary treatment
25 system, the system owner and a certified technician shall
26 enter into a contract for monitoring and maintenance of the
27 proprietary treatment system. The contract shall be required
28 for the life of the system, and a copy of the contract shall be
29 provided to the applicable administrative authority.

30 2. A proprietary treatment system shall be inspected,
31 monitored, and maintained by the certified technician in
32 accordance with the manufacturer's specifications. A class A
33 system shall be maintained at least annually. A class B system
34 shall be maintained at least twice per year or more frequently
35 if required by the manufacturer's specifications.

1 3. All maintenance and visual inspections shall be
2 performed by a certified technician. A certified technician
3 shall report results, as provided in section 455B.243, to the
4 system owner and to the applicable administrative authority
5 within thirty days following the inspection. The certified
6 technician shall also report any discontinuance or proprietary
7 treatment system maintenance to the applicable administrative
8 authority.

9 4. A proprietary treatment system may be used when the
10 applicable administrative authority determines the site is
11 unacceptable for a conventional subsurface soil absorption
12 system. Preference shall be given to the use of a class
13 A system due to the operating principle being similar to
14 that of intermittent subsurface sand filter beds. A class B
15 system shall not be used on a vacation home, church, or event
16 facility, or other seasonal or infrequent use facilities.

17 5. A class B proprietary treatment system that discharges
18 treated effluent on the surface of the ground shall receive
19 additional treatment through the use of intermittent free
20 access sand filters of a magnitude not exceeding five gallons
21 per square foot of design flow.

22 Sec. 3. NEW SECTION. 455B.243 Reporting.

23 1. A maintenance and visual inspection report for a class A
24 or class B system, as required under section 455B.242, shall
25 record at least the following information:

26 a. The date of the inspection.

27 b. The type of proprietary treatment system.

28 c. Whether the system is functioning correctly or
29 functioning incorrectly.

30 d. Any sign of equipment malfunction, the cause of the
31 malfunction, and the corrective action taken.

32 e. Results of water testing if the system is subject to
33 national pollution discharge elimination system general permit
34 number four.

35 f. If the system is functioning incorrectly, the primary

1 reason for the deficiency, including but not limited to:

2 (1) Improper installation.

3 (2) Lack of required maintenance.

4 (3) Improper operation or malfunction.

5 (4) Other damages or conditions contributing to the
6 malfunction.

7 2. The completed report shall be submitted to the department
8 by the certified technician in the form and manner prescribed
9 by the department.

10 3. The department shall compile the information and
11 shall maintain a publicly accessible database summarizing
12 inspection outcomes. The database shall not include personally
13 identifiable information.

14 Sec. 4. NEW SECTION. **455B.244 Rulemaking authority.**

15 The department may adopt rules as necessary to administer
16 this part.

17 Sec. 5. **APPLICABILITY.** This Act applies to the inspection,
18 monitoring, and maintenance of proprietary treatment systems,
19 as defined in section 455B.241, as enacted by this Act,
20 performed on or after July 1, 2026.>

21 2. Title page, line 1, by striking <private sewage disposal>
22 and inserting <proprietary treatment>

23 3. Title page, line 2, after <including> by inserting
24 <inspection,>

ANNETTE SWEENEY