

MAR 8 1995

ENVIRONMENTAL PROTECTION

HOUSE FILE 301  
BY ARNOLD

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to private sewage disposal systems and providing  
2 for a repeal and an effective date.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 301

1 Section 1. Section 455B.172, Code 1995, is amended by  
2 adding the following new subsection:

3 NEW SUBSECTION. 4A. A county board of health shall not  
4 have the authority to require replacement of a private sewage  
5 disposal system if repairs can be made which would be  
6 compatible with the existing system and would allow the system  
7 to operate in a manner which would continue to protect the  
8 environment and the public health and safety of the citizens  
9 of the state.

10 Sec. 2. Section 455B.172, subsection 4A, is repealed at  
11 such time as the department of natural resources becomes the  
12 only governmental agency authorized to adopt standards for  
13 private sewage disposal systems and inspection and enforcement  
14 of private sewage disposal systems becomes uniform statewide.  
15 The department of natural resources shall notify the Code  
16 editor when the repeal of section 455B.172, subsection 4A,  
17 becomes effective.

18 Sec. 3. This Act, being deemed of immediate importance,  
19 takes effect upon enactment.

20 EXPLANATION

21 Currently, section 455B.172, subsections 1 through 4, grant  
22 the authority for regulation of private water supplies and  
23 private sewage disposal systems to each county board of health  
24 and require that the standards that each county adopts must be  
25 at least as stringent as the standards adopted by the  
26 environmental protection commission. This bill limits the  
27 authority of a county board of health to require replacement  
28 of a private sewage disposal system if repairs can be made  
29 which would be compatible with the existing system and if the  
30 repairs would allow the system to operate so as to protect the  
31 environment and the public health and safety of the citizens  
32 of the state. A "private sewage disposal system" is defined  
33 as a system which provides for the treatment or disposal of  
34 domestic sewage from four or fewer dwelling units or the  
35 equivalent of 16 individuals on a continuing basis.

1 The bill provides that section 455B.172, subsection 4A, is  
2 repealed at such time as the department of natural resources  
3 becomes the only governmental agency authorized to adopt  
4 standards for private sewage disposal systems and inspection  
5 and enforcement of private sewage disposal systems becomes  
6 uniform statewide. The bill has an immediate effective date.

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