

By: Hegar

S.B. No. 1412

A BILL TO BE ENTITLED

AN ACT

relating to the permitting of certain small commercial development sewage collection, treatment, and disposal systems as on-site sewage disposal systems.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter D, Chapter 366, Health and Safety Code, is amended by adding Section 366.0513 to read as follows:

Sec. 366.0513. SMALL COMMERCIAL DEVELOPMENT SYSTEMS. (a)

A small commercial development sewage collection, treatment, and disposal system may be permitted as an on-site sewage disposal system under this chapter if the system:

(1) is located on property jointly owned by the property owners served by the system;

(2) produces not more than 5,000 gallons a day on an annual average basis;

(3) serves an area that does not exceed 15 acres;

(4) is designed to serve two or more sewage-generating units on separate tracts of land;

(5) collects sewage only from commercial or institutional facilities or business parks;

(6) does not dispose of industrial waste, as defined by Section 26.001(11), Water Code; and

(7) is recorded in the manner described by Subsection (b).

1 (b) Before installing a system permitted under this
2 section, the permit holder must record the system in the deed
3 records of the county or counties in which the system is to be
4 located. The recording shall include:

5 (1) a metes and bounds description of the land on which
6 the system is to be located; and

7 (2) the name and permanent address of the person or
8 persons owning the sewage generating units that will use the
9 system.

10 (c) The owner of each sewage generating unit served by a
11 system permitted under Subsection (a):

12 (1) is jointly and severally responsible for:

13 (A) all maintenance of the system; and

14 (B) providing access as necessary for
15 maintenance of the system; and

16 (2) may be subject to a penalty for a violation of this
17 chapter, a rule adopted under this chapter, or a condition of a
18 permit issued under this section, relating to the system.

19 SECTION 2. This Act takes effect immediately if it receives
20 a vote of two-thirds of all the members elected to each house, as
21 provided by Section 39, Article III, Texas Constitution. If this
22 Act does not receive the vote necessary for immediate effect, this
23 Act takes effect September 1, 2011.