

By: Wray

H.B. No. 1301

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the authority of the Texas Commission on Environmental  
3 Quality to adopt rules prohibiting the use of an on-site sewage  
4 disposal system with an absorptive effluent disposal system.

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

6 SECTION 1. Subchapter B, Chapter 366, Health and Safety  
7 Code, is amended by adding Section 366.0125 to read as follows:

8 Sec. 366.0125. ON-SITE SEWAGE DISPOSAL SYSTEMS WITH  
9 ABSORPTIVE EFFLUENT DISPOSAL SYSTEM. (a) In this section,  
10 "absorptive effluent disposal system" means a disposal system that  
11 disperses effluent from an on-site sewage disposal system into  
12 adjacent soil of a drainfield.

13 (b) This section does not apply to an on-site sewage  
14 disposal system that is located in the Edwards Aquifer recharge  
15 zone, as designated by the commission.

16 (c) The commission may not adopt rules prohibiting an owner  
17 of a single-family residence from constructing, reconstructing,  
18 altering, repairing, replacing, reinstalling, extending,  
19 maintaining, or operating an on-site sewage disposal system with an  
20 absorptive effluent disposal system for the residence on the basis  
21 that the soil is not suitable for an absorptive drainfield if the  
22 residence:

23 (1) was served by an on-site sewage disposal system  
24 with an absorptive effluent disposal system before September 1,

1 1987, and continues to be served by such a system; or

2 (2) is located on a tract of land that is at least 10  
3 acres and the tract does not contain more than one absorptive  
4 effluent disposal system for each 10 acres.

5 SECTION 2. This Act takes effect immediately if it receives  
6 a vote of two-thirds of all the members elected to each house, as  
7 provided by Section 39, Article III, Texas Constitution. If this  
8 Act does not receive the vote necessary for immediate effect, this  
9 Act takes effect September 1, 2015.