

## **BILL ANALYSIS**

Senate Research Center

S.B. 1790  
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Natural Resources  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Current law allows a manufacturer or an installer of a septic system to provide certain training to the owner of a system. The price for training courses currently offered is generally too costly for owners of septic systems.

As proposed, S.B. 1790 authorizes a party other than a manufacturer or an installer of a septic system to obtain approval from the Texas Commission on Environmental Quality to provide maintenance training to septic system owners.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

[While the statutory reference in this bill is to the Texas Natural Resource Conservation Commission (TNRCC), the following amendments affect the Texas Commission on Environmental Quality (TCEQ), as the successor agency to TNRCC.]

SECTION 1. Amends Section 366.0515, Health and Safety Code, by amending Subsections (h), (n), and (o) and adding Subsections (p) and (q), as follows:

(h) Requires the owner of an on-site sewage disposal system using aerobic treatment to obtain an amount of on-site training specified by the Texas Natural Resources Commission (commission) rule, not to exceed six hours, from an approved trainer under Subsection (p), if the owner elects to maintain the system directly. Deletes existing text requiring the owner of an on-site sewage disposal system using aerobic treatment to obtain an amount of on-site training specified by commission rule from the manufacturer or installer of the system, not to exceed six hours, either at the time of acceptance of the system from the installer or at the time of an on-site maintenance visit by a maintenance company under the initial term of the maintenance contract for the system, if applicable. Requires the approved trainer, rather than the manufacturer or installer, to provide the owner with a certificate or letter stating that the owner has received the required training on the owner's completion of the training. Deletes existing text requiring the new owner, not later than the 30th day after the date the owner takes possession of the property, to obtain the training required by this subsection from an installer certified by the manufacturer of the system under Subsection (n) or contract with a maintenance company for the maintenance of the system if the residence is sold.

(n) Deletes existing text requiring a person to be certified by the manufacturer of an on-site sewage disposal system using aerobic treatment to provide training to the owner in maintenance of the system.

(o) Deletes existing text providing that Subsection (n) does not allow the commission or an authorized agent to dictate to the manufacturer of on-site sewage disposal systems using aerobic treatment the person who is authorized to provide training in maintenance of the systems in a particular area. Deletes existing text providing that that subsection merely facilitates the expansion of the pool of persons who are qualified to provide training in maintenance of those systems.

(p) Requires a person to be approved by the commission to provide training to the owner of an on-site sewage disposal system using aerobic treatment in maintenance of the system. Sets forth certain requirements of a person to be approved by the commission.

(q) Defines "training provider."

SECTION 2. Requires the Texas Commission on Environmental Quality to be prepared to accept applications for the approval described by Subsection (p), Section 366.0515, Health and Safety Code, as added by this Act, not later than March 1, 2008.

SECTION 3. Effective date: September 1, 2007.