



PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1352 be amended to read as follows:

- 1 Replace the effective dates in SECTIONS 1 through 3 with
- 2 "[EFFECTIVE UPON PASSAGE]".
- 3 Page 1, between the enacting clause and line 1, begin a new
- 4 paragraph and insert:
- 5 "SECTION 1. IC 16-41-25-8.6 IS ADDED TO THE INDIANA
- 6 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 7 [EFFECTIVE UPON PASSAGE]: **Sec. 8.6. (a) An owner who installs**
- 8 **an onsite sewage system shall notify the local health department in**
- 9 **the county in which the onsite sewage system is located of the**
- 10 **maintenance schedule recommended by the manufacturer of the**
- 11 **new onsite sewage system.**
- 12 **(b) An owner with an onsite sewage system shall:**
- 13 **(1) notify the local health department in the county in which**
- 14 **the onsite sewage system is located of recent inspections by a**
- 15 **professional certified by the manufacturer of the onsite**
- 16 **sewage system; and**
- 17 **(2) provide all necessary documentation to the local health**
- 18 **department in the county in which the onsite sewage system**
- 19 **is located to demonstrate that the onsite sewage system**
- 20 **located on the owner's property is operating correctly."**
- 21 Page 2, delete lines 27 through 42, begin a new paragraph and
- 22 insert:

1 "(c) Subject to subsection (d), **an officer or employee of a local**
2 **health department, or another officer or employee of a county, city,**
3 **town, or county onsite waste management district may inspect a**
4 **residential onsite sewage system or a nonresidential onsite sewage**
5 **system (as defined in IC 16-19-3.5-3.5) after installation if:**

6 (1) a manufacturer of a residential onsite sewage system requires
7 inspection of the system multiple times a year; an owner of the
8 property on which a residential onsite sewage system is located
9 may request an officer or employee of a local health department
10 or another agency; officer, or employee of a county, city, or town
11 to inspect the residential onsite sewage system located on the
12 owner's property; but the inspection may only occur if the owner
13 of the residential onsite sewage system invites the inspector to the
14 property. **the owner of the property on which a residential**
15 **onsite sewage system or a nonresidential onsite sewage system**
16 **is located requests that an officer or employee of the local**
17 **health department or another office, department, or agency**
18 **of the county, city, or town inspect the residential onsite**
19 **sewage system or a nonresidential onsite sewage system**
20 **located on the owner's property;**

21 (2) a complaint is filed with the local health department about
22 an urgent situation caused by a malfunction in the residential
23 onsite sewage system or a nonresidential onsite sewage system
24 that creates a clear and immediate danger to the public's:

- 25 (A) health;
- 26 (B) safety; or
- 27 (C) property; or

28 (3) an officer or employee of a local health department or
29 another county officer or employee accompanies a
30 professional certified by the manufacturer of the residential
31 onsite sewage system or a nonresidential onsite sewage system
32 that is carrying out a required inspection of the residential
33 onsite sewage system or a nonresidential onsite sewage
34 system."

35 Page 3, delete line 1.

36 Page 3, between lines 5 and 6, begin a new paragraph and insert:

37 "**(e) This section shall not be interpreted as prohibiting or**
38 **restricting the periodic:**

- 39 (1) inspection;
- 40 (2) servicing;
- 41 (3) testing; or
- 42 (4) maintenance;

43 **of an onsite residential sewage discharging disposal system (as**
44 **defined in IC 13-11-2-144.7) or any other residential onsite sewage**
45 **system in accordance with the requirements, standards, or**
46 **recommendations of the National Sanitation Foundation, the**

1 **Indiana Onsite Wastewater Professionals Association, or the**
2 **manufacturer of the residential onsite sewage system.**

3 SECTION 3. IC 36-11-1-4 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. "System" means
5 a sewage disposal system (as defined in IC 13-11-2-201). **an onsite**
6 **residential sewage discharging disposal system (as defined in**
7 **IC 13-11-2-144.7)."**

8 Page 3, after line 10, begin a new paragraph and insert:
9 "SECTION 5. IC 36-11-2-3 IS ADDED TO THE INDIANA CODE
10 AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE**
11 **UPON PASSAGE]: Sec. 3. A district or local health department**
12 **may not assess a periodic permit or inspection fee that exceeds the**
13 **actual cost of the inspection incurred by the district or local health**
14 **department on a property owner who has an onsite residential**
15 **sewage discharging disposal system (as defined in**
16 **IC 13-11-2-144.7).**

17 SECTION 6. IC 36-11-9-2 IS AMENDED TO READ AS
18 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. Unless the
19 governing body finds and directs otherwise, the district is considered
20 to benefit every:

- 21 (1) lot;
 - 22 (2) parcel of land; or
 - 23 (3) building;
- 24 served by a system: **an onsite residential sewage discharging**
25 **disposal system (as defined in IC 13-11-2-144.7).** The rates or
26 charges shall be billed and collected accordingly.

27 SECTION 7. **An emergency is declared for this act."**
28 Renumber all SECTIONS consecutively.
(Reference is to HB 1352 as printed January 18, 2024.)

Representative Morris