

House Bill 1237

By: Representatives Rogers of the 20<sup>th</sup>, McCall of the 90<sup>th</sup> and Powell of the 23<sup>rd</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 31-3-5 of the Official Code of Georgia Annotated, relating to  
2 functions of county boards of health, so as to change the definition of the term "soil  
3 classifier"; to repeal a certain definition; to change the provisions relating to who may  
4 conduct investigations of the suitability of sites within the state for on-site sewage  
5 management systems; to require certain standards and qualifications; to provide for related  
6 matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 31-3-5 of the Official Code of Georgia Annotated, relating to functions of  
10 county boards of health, is amended by striking subsection (d) in its entirety and inserting in  
11 lieu thereof a new subsection (d) to read as follows:

12 "(d)(1) Any person may register with the department to conduct investigations of the  
13 suitability of a site within the state for an on-site sewage management system who meets  
14 any one of the following criteria:

15 (A) Qualifies as a soil classifier as defined in subparagraph (A) of paragraph (3) of this  
16 subsection;

17 (B) Holds a valid certificate of registration as a professional engineer issued pursuant  
18 to Chapter 15 of Title 43 and is practicing within his or her area of engineering  
19 competency; or

20 (C) Holds a valid certificate of registration as a registered geologist issued pursuant to  
21 Chapter 19 of Title 43.

22 (2) Upon the submission of an evaluation of the suitability of a site within the state for  
23 an on-site sewage management system by such a person who is registered with the  
24 department, the county board of health shall be required to accept the evaluation unless  
25 such evaluation is found by the county board of health to be deficient or questionable. If  
26 the county board of health finds such evaluation to be deficient or questionable, the board

1 shall, within three working days of making such finding, issue a written determination  
 2 stating all deficiencies and all measures needed to correct the deficiencies. A copy of this  
 3 determination shall be provided to the state director of environmental health.

4 (3) As used in this subsection, the term:

5 ~~(A) 'Soil and water conservation technician' means a person employed as a soil and~~  
 6 ~~water conservation technician by a soil and water conservation district provided for in~~  
 7 ~~Article 2 of Chapter 6 of Title 2.~~

8 ~~(A)(B) 'Soil classifier'~~ 'soil classifier' means a person who:

9 (i) Holds holds at least a bachelor of science degree from an accredited college or  
 10 university with a major in agronomy; soil science; or a related field and has such other  
 11 qualifications as may be specified by the department by rule. of science. This degree  
 12 shall include 30 semester credit hours or equivalent quarter credit hours in the  
 13 biological, physical, chemical, and earth sciences with a minimum of 15 semester  
 14 credit hours or equivalent quarter hours in soil science courses meeting the following  
 15 distribution:

16 (I) A minimum of one course in soil classification, morphology, genesis, and  
 17 mapping; and

18 (II) The remaining soil science credits must be in at least three of the following  
 19 eight categories: introductory soil science; soil fertility; soil microbiology; soil  
 20 chemistry; soil physics; soil management, soils and land use, or soils and the  
 21 environment; soil mineralogy; or a three credit maximum in independent study,  
 22 geology, or hydrology; and

23 (ii) Has at least four years' of verifiable, full-time or equivalent part-time experience  
 24 under the supervision of a soil classifier as defined in this subparagraph. Such  
 25 experience must have been spent actively mapping, identifying, and classifying soil  
 26 features and interpreting the influence of soil features on soil uses including, but not  
 27 limited to, conducting soil investigations for determining the suitability of sites for  
 28 on-site sewage management systems as approved by the department's soil classifiers  
 29 advisory committee;

30 (iii) Has successfully passed a written examination pertaining to site investigations  
 31 for on-site sewage management systems administered or approved by the department;  
 32 and

33 (iv) Beginning December 31, 2002, has successfully completed on an annual basis  
 34 15 professional development hours of continuing education related to soil science as  
 35 approved by the department.

36 ~~(2) Any person may qualify as a soil classifier, who holds a valid certificate of~~  
 37 ~~registration as a registered geologist issued pursuant to Chapter 19 of Title 43, or who~~

1 ~~holds a valid certificate of registration as a professional engineer issued pursuant to~~  
2 ~~Chapter 15 of Title 43 and is practicing within his or her area of engineering competency~~  
3 ~~may register with the Department of Human Resources to conduct investigations of the~~  
4 ~~suitability of a site within the state for an on-site sewage management system. Upon the~~  
5 ~~submission of an evaluation of the suitability of a site within the state for an on-site~~  
6 ~~sewage management system by such a person who is registered with the department or~~  
7 ~~by a soil and water conservation technician, the county board of health shall be required~~  
8 ~~to accept the evaluation unless such evaluation is found by the county board of health to~~  
9 ~~be deficient or questionable. If the county board of health finds such evaluation to be~~  
10 ~~deficient or questionable, the board shall, within three working days of making such~~  
11 ~~finding, issue a written determination stating all deficiencies and all measures needed to~~  
12 ~~correct the deficiencies. A copy of this determination shall be provided to the state~~  
13 ~~director of environmental health. Level four soils evaluations submitted to a county~~  
14 ~~board of health under the provisions of this subsection will be accepted."~~

15 **SECTION 2.**

16 This Act shall become effective upon its approval by the Governor or upon its becoming law  
17 without such approval.

18 **SECTION 3.**

19 All laws and parts of laws in conflict with this Act are repealed.