

House Bill 1237 (COMMITTEE SUBSTITUTE) (AM)

By: Representatives Rogers of the 20th, McCall of the 90th and Powell of the 23rd

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 soil investigations and
13 prepare soil reports of a site within the state for an on-site sewage management system
14 who meets 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 and is practicing within his or her area of geologic competency.

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

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

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

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

9 ~~(A)(B) 'Soil classifier' 'soil classifier' means a person who; is a Soil and Water~~
10 ~~Conservation~~

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

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

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

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

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

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

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