

Senate Bill 129

By: Senators Harp of the 16th, Cagle of the 49th, Lee of the 29th, Gillis of the 20th and Stephens of the 51st

**AS PASSED SENATE**

**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 (B) 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;

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 or

23 (D) Is a soil and water conservation technician as defined in subparagraph (A) of  
24 paragraph (3) of this subsection.

25 (2) Upon the submission of an evaluation of the suitability of a site within the state for  
26 an on-site sewage management system by such a person who is registered with the

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

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

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

11 (B) 'Soil classifier' means a person who:

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

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

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

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

34 (iii) Has successfully passed a written examination pertaining to site investigations  
 35 for on-site sewage management systems administered or 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.