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HOUSE BILL NO. 2671

Offered January 15, 2025

A BILL to amend and reenact §§ 59.1-310.7 and 59.1-310.9 of the Code of Virginia, relating to septic system inspectors; minimum requirements.

Patron—Phillips

Referred to Committee on Labor and Commerce

Be it enacted by the General Assembly of Virginia:

1. That §§ 59.1-310.7 and 59.1-310.9 of the Code of Virginia are amended and reenacted as follows:

§ 59.1-310.7. Definitions.

As used in this chapter unless the context requires otherwise:

"Accredited septic system inspector" means a person who possesses the qualifications required by the provisions of this chapter.

"Inspection" means an examination of a septic system that is requested by a lending institution, realtor, prospective homebuyer, or other impacted party as a condition of sale, refinancing, or transfer of title and that meets the minimum requirements in subsection C of § 59.1-310.9.

"Person" means an individual, partnership, corporation, association, or other entity.

"Septic system" means an onsite method of disposing of sewage when sewers or sewerage facilities are not available and includes septic tanks, septic tank lines and drainage fields or other onsite, residential sewage systems.

§ 59.1-310.9. Requirements for accredited septic system inspectors and minimum requirements for performance of septic system inspections.

A. In order to use the title of "accredited septic system inspector" in connection with any real estate transaction, including refinancings, an applicant shall be accredited by the National Sanitation Foundation or an equivalent national accrediting organization, which accreditation shall include the passage of both a written and practical examination on the principles and practice of septic system inspections.

In addition, the applicant shall satisfy the following requirements:

1. Hold a high school diploma or equivalent; and

2. Have evidence of at least one year of active field experience conducting onsite septic systems inspections or completion of a nationally approved training course.

B. ~~Any individual~~ Only individuals who hold a valid onsite sewage system operator, onsite sewage system installer, or onsite soil evaluator license pursuant to Chapter 23 (§ 54.1-2300 et seq.) of Title 54.1 shall be authorized to perform a septic system inspection in connection with any real estate transaction, including refinancings.

C. Minimum requirements for septic system inspections shall include the following:

1. The inspector shall obtain, evaluate, describe, or determine during the inspection (i) the advertised number of bedrooms and (ii) the designed system size, as stated in available local health department information, such as the current operation permit or the current repair permit.

2. The inspector shall obtain, evaluate, describe, or determine during the inspection (i) the requirement for a certified subsurface water pollution control system operator and the current certified operator's name, most recent performance, and operation and maintenance reports, if applicable and available; (ii) the type of water supply; (iii) the location of the septic tank and septic tank details; (iv) the location of the pump tank and pump tank details; (v) the location of the dispersal field and dispersal field details; and (vi) any conditions that prevented or hindered the inspection or determination of the information in clauses (i) through (v).

3. If a client declines to allow a tank to be pumped, the inspection form shall state that the client requesting such inspection has been advised that the tank needs to be pumped for a complete inspection to be performed and that the client has declined to have the tank pumped at the inspection, and such statement shall be signed and dated by the client.

4. No inspector shall (i) insert any tool, probe, or testing device inside pump system control panels or (ii) dismantle any electrical device or control other than to remove the covers of the main and auxiliary control panels.

INTRODUCED

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