

HOUSE BILL 747

M3, N1

5lr2277

By: **Delegate Guyton**

Introduced and read first time: January 27, 2025

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Environment – On-Site Wastewater Systems – Requirements for Inspection and**
3 **Pumping Services**

4 FOR the purpose of requiring a landlord of property that is served by a certain on-site
5 wastewater system to ensure, on or before a certain date and before each new tenant
6 occupies the property thereafter, that the system has been inspected and pumped
7 out in a certain manner; requiring a contract for the sale of real property that is
8 served by an on-site wastewater system, beginning on a certain date, to include a
9 provision requiring, as a condition of the sale, that the purchaser has ensured that
10 the system has been inspected and pumped out in a certain manner; and generally
11 relating to on-site wastewater systems.

12 BY repealing and reenacting, without amendments,
13 Article – Environment
14 Section 9–11A–01(a) and (e)
15 Annotated Code of Maryland
16 (2014 Replacement Volume and 2024 Supplement)

17 BY adding to
18 Article – Real Property
19 Section 8–121 and 10–715
20 Annotated Code of Maryland
21 (2023 Replacement Volume and 2024 Supplement)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
23 That the Laws of Maryland read as follows:

24 **Article – Environment**

25 9–11A–01.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(a) In this subtitle the following words have the meanings indicated.

(e) (1) “On-site wastewater system” means:

(i) A wastewater system designed to treat and dispose of effluent on:

1. The same property that produces the wastewater; or

2. An easement; or

(ii) A holding tank.

(2) Except as provided in paragraph (3) of this subsection, “on-site wastewater system” includes a septic or any other on-site sewage disposal system.

(3) “On-site wastewater system” does not include a wastewater treatment system that:

(i) Requires a discharge permit from the Department; or

(ii) Treats 5,000 or more gallons per day.

Article – Real Property

8–121.

(A) IN THIS SECTION, “ON-SITE WASTEWATER SYSTEM” HAS THE MEANING STATED IN § 9–11A–01 OF THE ENVIRONMENT ARTICLE.

(B) ON OR BEFORE JANUARY 1, 2026, AND BEFORE EACH NEW TENANT OCCUPIES THE PROPERTY THEREAFTER, A LANDLORD OF PROPERTY THAT IS SERVED BY AN ON-SITE WASTEWATER SYSTEM SHALL ENSURE THAT THE SYSTEM HAS BEEN:

(1) INSPECTED BY AN INDIVIDUAL WHO IS LICENSED UNDER TITLE 9, SUBTITLE 11A OF THE ENVIRONMENT ARTICLE TO PERFORM PROPERTY TRANSFER INSPECTIONS FOR ON-SITE WASTEWATER SYSTEMS; AND

(2) PUMPED OUT BY AN INDIVIDUAL WHO IS LICENSED UNDER TITLE 9, SUBTITLE 11A OF THE ENVIRONMENT ARTICLE TO PERFORM PUMPING SERVICES FOR ON-SITE WASTEWATER SYSTEMS.

(C) FOR PURPOSES OF MEETING THE REQUIREMENTS UNDER SUBSECTION (B) OF THIS SECTION, A PROPERTY TRANSFER INSPECTION OR PUMPING SERVICE

PERFORMED IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION IS VALID FOR
3 YEARS.

10-715.

(A) IN THIS SECTION, "ON-SITE WASTEWATER SYSTEM" HAS THE MEANING
STATED IN § 9-11A-01 OF THE ENVIRONMENT ARTICLE.

(B) (1) BEGINNING JANUARY 1, 2026, A CONTRACT FOR THE SALE OF
REAL PROPERTY THAT IS SERVED BY AN ON-SITE WASTEWATER SYSTEM SHALL
INCLUDE A PROVISION REQUIRING, AS A CONDITION OF THE SALE, THAT THE
PURCHASER ENSURE THAT THE SYSTEM HAS BEEN:

(I) INSPECTED BY AN INDIVIDUAL WHO IS LICENSED UNDER
TITLE 9, SUBTITLE 11A OF THE ENVIRONMENT ARTICLE TO PERFORM PROPERTY
TRANSFER INSPECTIONS FOR ON-SITE WASTEWATER SYSTEMS; AND

(II) PUMPED OUT BY AN INDIVIDUAL WHO IS LICENSED UNDER
TITLE 9, SUBTITLE 11A OF THE ENVIRONMENT ARTICLE TO PERFORM PUMPING
SERVICES FOR ON-SITE WASTEWATER SYSTEMS.

(2) (I) SETTLEMENT ON THE CONTRACT FOR THE SALE OF THE
REAL PROPERTY MAY NOT OCCUR UNTIL THE VENDOR AND THE PURCHASER
RECEIVE A REPORT ON THE PROPERTY TRANSFER INSPECTION PERFORMED UNDER
PARAGRAPH (1)(I) OF THIS SUBSECTION AND CONFIRMATION OF THE PUMPING
SERVICE PERFORMED UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION.

(II) AT SETTLEMENT ON THE CONTRACT FOR THE SALE OF THE
REAL PROPERTY, THE VENDOR AND THE PURCHASER SHALL EACH CERTIFY IN
WRITING THAT THEY HAVE RECEIVED AND REVIEWED THE REPORT AND
CONFIRMATION REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.

(C) UNLESS OTHERWISE REQUIRED AS PART OF A REAL ESTATE CONTRACT
OR MORTGAGE REQUIREMENT, FOR PURPOSES OF MEETING THE REQUIREMENTS
UNDER SUBSECTION (B)(1) OF THIS SECTION, A PROPERTY TRANSFER INSPECTION
OR PUMPING SERVICE PERFORMED IN ACCORDANCE WITH SUBSECTION (B)(1) OF
THIS SECTION IS VALID FOR 3 YEARS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
October 1, 2025.