

SENATE BILL 964

M3, J1

5lr3320
CF HB 1124

By: **Dorchester County Senators**

Introduced and read first time: January 28, 2025

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **Dorchester County – Well and On-Site Sewage Disposal Activities –**
3 **Privatization Program**

4 FOR the purpose of authorizing the Department of the Environment, at the request of the
5 Dorchester County government and a certain delegated approval authority for
6 Dorchester County, to establish a privatization program for the performance of
7 certain activities associated with a certain well or on-site sewage disposal system
8 delegation of authority in Dorchester County; and generally relating to the
9 performance of well and on-site sewage disposal activities in Dorchester County.

10 BY adding to
11 Article – Environment
12 Section 9–1104.1
13 Annotated Code of Maryland
14 (2014 Replacement Volume and 2024 Supplement)

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

17 **Article – Environment**

18 **9–1104.1.**

19 (A) IN THIS SECTION, “DELEGATED APPROVAL AUTHORITY” MEANS THE
20 LOCAL HEALTH DEPARTMENT OR COUNTY AGENCY THAT HAS RECEIVED A WELL OR
21 ON-SITE SEWAGE DISPOSAL SYSTEM DELEGATION OF AUTHORITY BY THE
22 DEPARTMENT.

23 (B) THIS SECTION APPLIES ONLY TO DORCHESTER COUNTY.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(C) (1) AT THE REQUEST OF A COUNTY GOVERNMENT AND THE DELEGATED APPROVAL AUTHORITY, THE DEPARTMENT MAY ESTABLISH A PRIVATIZATION PROGRAM FOR THE PERFORMANCE OF ANY ACTIVITIES ASSOCIATED WITH A WELL OR ON-SITE SEWAGE DISPOSAL SYSTEM DELEGATION OF AUTHORITY BY THE DEPARTMENT.

(2) IF THE DEPARTMENT ESTABLISHES A PRIVATIZATION PROGRAM UNDER THIS SECTION, THE DEPARTMENT SHALL:

(I) SPECIFY WHETHER THE PRIVATIZATION PROGRAM HAS A LIMITED DURATION OR IS ONGOING;

(II) SPECIFY THE ACTIVITIES ASSOCIATED WITH A WELL OR ON-SITE SEWAGE DISPOSAL SYSTEM DELEGATION OF AUTHORITY COVERED UNDER THE PRIVATIZATION PROGRAM;

(III) ESTABLISH REPORTING AND PERFORMANCE MONITORING REQUIREMENTS, AS DETERMINED APPROPRIATE BY THE DEPARTMENT;

(IV) CONDUCT MANDATORY COMPLIANCE AUDITS ON AT LEAST AN ANNUAL BASIS; AND

(V) CONSIDER REASONABLE CONSUMER PROTECTION REQUIREMENTS, INCLUDING FEE CAPS AND DISPUTE RESOLUTION MECHANISMS.

(3) THE DEPARTMENT MAY SUSPEND OR HALT A PRIVATIZATION PROGRAM IF THE DEPARTMENT DETERMINES THAT THE PROGRAM:

(I) IS FAILING TO COMPLY WITH ANY REQUIREMENT ESTABLISHED UNDER THIS SECTION;

(II) IS FAILING TO MEET REPORTING OR PERFORMANCE MONITORING REQUIREMENTS ESTABLISHED UNDER THIS SECTION; OR

(III) POSES A RISK TO PUBLIC HEALTH OR THE ENVIRONMENT.

(D) IN ORDER TO BE ELIGIBLE TO PARTICIPATE IN THE PROGRAM ESTABLISHED UNDER THIS SECTION, A PERSON MUST:

(1) BE AN ENVIRONMENTAL HEALTH SPECIALIST LICENSED IN THE STATE;

1 **(2) HAVE DEMONSTRATED EXPERIENCE IN THE ACTIVITIES**
2 **ASSOCIATED WITH A WELL OR ON-SITE SEWAGE DISPOSAL SYSTEM DELEGATION OF**
3 **AUTHORITY COVERED UNDER THE PRIVATIZATION PROGRAM; AND**

4 **(3) MEET ANY OTHER REQUIREMENTS ESTABLISHED BY THE**
5 **DEPARTMENT OR DELEGATED APPROVAL AUTHORITY.**

6 **(E) THE DELEGATED APPROVAL AUTHORITY SHALL REVIEW AND APPROVE**
7 **OR DISAPPROVE ANY WORK PERFORMED BY A PERSON UNDER A PRIVATIZATION**
8 **PROGRAM.**

9 **(F) A DELEGATED APPROVAL AUTHORITY SEEKING TO ESTABLISH A**
10 **PRIVATIZATION PROGRAM UNDER THIS SECTION SHALL WORK WITH THE**
11 **DEPARTMENT AND COUNTY GOVERNMENT TO IMPLEMENT THE PRIVATIZATION**
12 **PROGRAM.**

13 **(G) THE DEPARTMENT MAY ADOPT REGULATIONS TO IMPLEMENT THE**
14 **PRIVATIZATION PROGRAM.**

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
16 1, 2025. It shall remain effective for a period of 3 years and, at the end of June 30, 2028,
17 this Act, with no further action required by the General Assembly, shall be abrogated and
18 of no further force and effect.