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Senate Bill 780, Printer's Number 940

**Amending the Sewage Facilities Act –
Removal of permit-exempt inspection fee cap**

PROPOSAL/SUMMARY: This bill amends Act 537 of 1966, the Sewage Facilities Act, to remove a cap on the fee that may be charged by a municipality to a person who seeks to install a permit-exempt septic system. Before installation of the system, a person must notify the municipality so that the municipality can verify that the proposed location meets the act's siting requirements. The fee that a municipality is currently allowed to charge for the verification of the siting requirements is \$25. Under this bill, that fee cap would be lifted, but a municipality would not be allowed to charge more than the municipality's actual cost for verification.

EXISTING LAW: Section 7(a.1)(2) of the Sewage Facilities Act allows a local agency to charge a fee, not to exceed \$25, to verify that the system is located according to the siting requirements.

This bill was drafted in consultation with PSATS and in response to PSATS Resolution 2013-37. An earlier draft proposed authorizing the Department of Environmental Protection (DEP) to establish a cap on the fee by regulation; however, that authorization was removed after consulting with the DEP Office of Legislative Liaison.

In the 2013-2014 session, this bill was introduced as Senate Bill 1321. The bill was referred to the Senate Environmental Resources and Energy Committee where it remained upon sine die adjournment. This legislation was also introduced in the House during the 2013-2-14 session as House Bill 395. House Bill 395 was referred to the House Local Government Committee where it remained upon sine die adjournment.

This document is for information purposes only. It is not an official restatement of the complete contents of the bill and existing law, and should not be construed as a legal opinion concerning the content or meaning of either.