

SENATE FILE NO. SF0174

Septic tank repair.

Sponsored by: Senator(s) Sessions and Scott

A BILL

for

1 AN ACT relating to public health and safety; specifying
2 procedures and requirements relating to the repair or
3 replacement of septic systems; specifying circumstances
4 under which a political subdivision may be responsible for
5 certain costs; and providing for an effective date.

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7 *Be It Enacted by the Legislature of the State of Wyoming:*

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9 **Section 1.** W.S. 35-3-125 is created to read:

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11 **35-3-125. Septic tank repair.**

12

13 (a) Notwithstanding any other provision of law,
14 except as provided by subsection (b) of this section, no
15 political subdivision and no state agency may require any
16 person to obtain any permit or otherwise prevent any person

1 from repairing or replacing any lawfully installed septic
2 system.

3

4 (b) If a septic system is in an area where the
5 existence of the system is a danger to the public health or
6 violates environmental standards, a political subdivision
7 may require the owner of a septic system to provide a
8 notice of not to exceed sixty (60) days of intent to repair
9 or replace a septic system. Upon receipt of the notice,
10 the political subdivision may, within sixty (60) days,
11 order the repair or replacement not take place, provided in
12 this event the political subdivision shall be liable for
13 all costs of hooking up to a public sewer system that are
14 in excess of the costs of repairing or replacing the septic
15 system.

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17 (c) Nothing in this section shall be construed as
18 disparaging a agency's or political subdivision's right
19 under other law to regulate or forbid the installation of
20 new septic systems or the enlargement of existing systems.

21

22 **Section 2.** This act is effective July 1, 2005.

23

24 (END)