

SB 931-3
(LC 3984)
3/31/23 (STN/ps)

Requested by Senator MEEK

**PROPOSED AMENDMENTS TO
SENATE BILL 931**

1 On page 1 of the printed bill, line 2, after the semicolon delete the rest
2 of the line and insert “creating new provisions; amending ORS 454.655; and
3 prescribing an effective date.”.

4 Delete lines 23 and 24 and insert:

5 “(b) The commission shall adopt rules for determining whether a commu-
6 nity or area-wide sewerage system will satisfactorily accommodate a pro-
7 posed sewage discharge. Rules adopted by the commission must require
8 consideration of factors that include, but need not be limited to:

9 “(A) The legal availability and physical availability of a sewerage system;

10 “(B) The scope and magnitude of the proposed repairs to an existing
11 subsurface sewage disposal system or alternative sewage disposal system;

12 “(C) The cost of repairs to an existing subsurface sewage disposal system
13 or alternative sewage disposal system compared to the cost of connecting to
14 a sewerage system;

15 “(D) Statewide planning goals; and

16 “(E) Environmental and public health concerns associated with the prox-
17 imity of seepage pits, cesspools or drainfields to wells or waters of this
18 state.”.

19 On page 2, after line 25 insert:

20 **“SECTION 2. Notwithstanding ORS 454.655 (4), the Department of
21 Environmental Quality may issue a permit to repair or replace a sub-**

1 surface sewage disposal system or alternative sewage disposal system
2 without regard to the availability of a community or area-wide
3 sewerage system if:

4 “(1) The proposed construction is for the repair or replacement of
5 a subsurface sewage disposal system or alternative sewage disposal
6 system for which a certificate of completion has been issued under
7 **ORS 454.665;**

8 “(2) The subsurface sewage disposal system or alternative sewage
9 disposal system serves a single-family dwelling that is located outside
10 of the boundaries of a city; and

11 “(3) The department determines that the proposed construction
12 otherwise satisfies the requirements of ORS 454.655 and rules adopted
13 by the Environmental Quality Commission.

14 **“SECTION 3. Section 2 of this 2023 Act is repealed on January 2,**
15 **2025.**

16 **“SECTION 4. (1) The amendments to ORS 454.655 by section 1 of this**
17 **2023 Act become operative on January 1, 2024.**

18 **“(2) The Department of Environmental Quality and the Environ-**
19 **mental Quality Commission may take any action before the operative**
20 **date specified in subsection (1) of this section that is necessary to en-**
21 **able the department or the commission to exercise, on and after the**
22 **operative date specified in subsection (1) of this section, all the duties,**
23 **functions and powers conferred on the department and the commission**
24 **by the amendments to ORS 454.655 by section 1 of this 2023 Act.**

25 **“SECTION 5. This 2023 Act takes effect on the 91st day after the**
26 **date on which the 2023 regular session of the Eighty-second Legislative**
27 **Assembly adjourns sine die.”.**

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