As Amended by Senate Committee
Session of 2012

SENATE BILL No. 405

By Senator Ostmeyer

2-8

AN ACT concerning wastewater; relating to private wastewater systems.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) All existing private wastewater systems installed prior
to January 1, 1992, as allowed by a local environmental or sanitary code
which has been approved by the Kansas department of health and
environment, shall be acceptable until such time a modification or
replacement is required or necessary for the system to function properly.
This section shall not apply to any private wastewater system that is in
violation of the Kansas statutes annotated.

(b) As used in this section:
(1) "Modification" means a substantial change in the physical
structure of a wastewater systems; and
(2) "Private wastewater system" means a wastewater system serving
a single-family residence designed and constructed to collect, store and
dispose of domestic waste, including those systems that function by soil
absorption, evaporation, transpiration, holding tanks or any
combination thereof. "Private wastewater system" does not include any
system that directly discharges domestic waste onto the ground surface
or into watercourses without a permit issued pursuant to K.S.A. 65-165,
and amendments thereto; and
(3) "replacement" means the substitution of a wastewater system in
its entirety with a new system.

Sec. 2. This act shall take effect and be in force from and after its
publication in the statute book.