



**SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE**  
**STATEMENT OF ESTIMATED FISCAL IMPACT**  
**(803)734-3780 • RFA.SC.GOV/IMPACTS**

*This fiscal impact statement is produced in compliance with the South Carolina Code of Laws and House and Senate rules. The focus of the analysis is on governmental expenditure and revenue impacts and may not provide a comprehensive summary of the legislation.*

---

<b>Bill Number:</b>	H. 3769	Introduced on January 24, 2023
<b>Author:</b>	Ligon	
<b>Subject:</b>	Wells and Septic Tanks	
<b>Requestor:</b>	House Labor, Commerce, and Industry	
<b>RFA Analyst(s):</b>	Griffith	
<b>Impact Date:</b>	April 4, 2023	

---

### **Fiscal Impact Summary**

This bill prohibits the Department of Health and Environmental Control (DHEC) from denying the repair, replacement, or construction of wells and septic tanks on rural land of no more than five acres, regardless of the availability of municipal water and sewer service. DHEC indicates that since the bill requires the agency to perform activities that will be conducted in the normal course of agency business, the bill will have no expenditure impact on DHEC. However, DHEC added that the bill is in direct conflict with Section 300 of Regulation 61-56, regarding wastewater treatment facility accessibility.

The Revenue and Fiscal Affairs Office (RFA) surveyed all forty-six counties and the Municipal Association of South Carolina (MASC) and received responses from Hampton County and the MASC. Hampton County reports that the bill will have no direct impact to the county. Additionally, the MASC does not foresee an expenditure impact to cities or towns if repairs and replacements are completed in a manner that will not require the assistance of municipal works employees. Based on these responses, RFA does not anticipate an expenditure impact on county or municipal governments.

### **Explanation of Fiscal Impact**

#### **Introduced on January 24, 2023**

#### **State Expenditure**

This bill prohibits DHEC from denying the repair, replacement, or construction of wells and septic tanks on rural land of no more than five acres, regardless of the availability of municipal water and sewer service. DHEC indicates that since the bill requires the agency to perform activities that will be conducted in the normal course of agency business, the bill will have no expenditure impact on DHEC. However, DHEC added that the bill is in direct conflict with Section 300 of Regulation 61-56, regarding wastewater treatment facility accessibility.

#### **State Revenue**

N/A

**Local Expenditure**

This bill prohibits DHEC from denying the repair, replacement, or construction of wells and septic tanks on rural land of no more than five acres, regardless of the availability of municipal water and sewer service. RFA surveyed all forty-six counties and the MASC and received two responses. Hampton County reports that the bill will have no direct impact to the county. Additionally, the MASC does not foresee an expenditure impact to cities or towns if repairs and replacements are completed in a manner that will not require the assistance of municipal works employees. Based on these responses, RFA does not anticipate an expenditure impact on county or municipal governments.

**Local Revenue**

N/A



Frank A. Rainwater, Executive Director