**South Carolina General Assembly**

126th Session, 2025-2026

**H. 3950**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Hixon and Forrest

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Introduced in the House on February 11, 2025

Last Amended on April 30, 2025

Currently residing in the House

Summary: Soil classifers

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/11/2025 House Introduced and read first time ([House Journal‑page 9](h:\hj\20250211.docx))

2/11/2025 House Referred to Committee on **Agriculture, Natural Resources and Environmental Affairs** ([House Journal‑page 9](h:\hj\20250211.docx))

3/10/2025 House Member(s) request name added as sponsor: Forrest

4/29/2025 House Committee report: Favorable with amendment **Agriculture, Natural Resources and Environmental Affairs** ([House Journal‑page 3](h:\hj\20250429.docx))

4/30/2025 House Amended

4/30/2025 House Read second time

4/30/2025 House Roll call Yeas-100 Nays-0

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=3950&session=126&summary=B)  at the website

**VERSIONS OF THIS BILL**

[02/11/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/3950_20250211.docx)

[04/29/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/3950_20250429.docx)

Indicates Matter Stricken

Indicates New Matter

Committee Report

April 29, 2025

H. 3950

Introduced by Reps. Hixon and Forrest

S. Printed 4/29/25--H.

Read the first time February 11, 2025

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The committee on House Agriculture, Natural Res. and Environmental Affairs

To whom was referred a Bill (H. 3950) to amend the South Carolina Code of Laws by amending Section 40‑65‑40, relating to persons exempt from licensure as professional soil classifiers, so as to exempt, etc., respectfully

Report:

That they have duly and carefully considered the same, and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. Section 44-55-827 of the S.C. Code is amended to read:

Section 44-55-827. (A) The department shall promulgate regulations for the licensure of persons who contract or advertise to offer or provide services for installation, repair, modification, or final inspection and approval of onsite wastewater systems. These regulations must include:

(1) eligibility criteria to be licensed as an Onsite Wastewater Systems Contractor;

(2) a tiered licensing program defining various levels of competency and skill, including licenses that allow different combinations of installation, repair, modification, and final inspection and approval of onsite wastewater systems;

(3) a system for the department to monitor the quality of contractor installation, repair, modification, and final inspection and approval of onsite wastewater systems;

(4) minimum standards for training and continuing education for Onsite Wastewater Systems Contractors;

(5) bonding and insurance requirements for Onsite Wastewater Systems Contractors;

(6) the establishment and collection of administrative and licensing fees to cover the costs of this program; and

(7) enforcement guidelines and penalties for violations of the provisions of these regulations.

(B)(1) The eligibility requirements of subsection (A) do not apply to a professional engineer licensed by the South Carolina State Board of Registration for Professional Engineers and Surveyors who has been certified by the Department of Environmental Services as successfully completing their onsite wastewater training program, solely for purposes of performing soil evaluations in connection with a conventional onsite wastewater system, provided that the engineer has appropriate bonding and insurance.

(2) The Department of Environmental Services may revoke or suspend such certifications based on evidence of incompetence, incorrect classification of soils, or falsification or improper documentation of soil evaluation results, and/or may assess and collect a fine not to exceed $1,000 for each documented instance of incompetence, incorrect classification of soils, or falsification or improper documentation of soil evaluation results, to be submitted for deposit in the state general fund.

(B)(C) The department shall promulgate regulations pursuant to the requirements for licensure of an Onsite Wastewater Systems Contractor, as provided for in subsection (A), items (1) through (7).

(C)(D) Nothing in this chapter or regulations promulgated pursuant to this chapter affect the department's authority, under Section 44-1-140 and regulation, to issue permits for the installation and construction of individual onsite wastewater systems.

Amend the bill further, SECTION 1, by striking Section 40-65-40(8) and inserting:

(8) A professional engineer licensed by the South Carolina State Board of Registration for Professional Engineers and Surveyors who has been certified by the Department of Environmental Services as successfully completing their onsite wastewater training program, solely for purposes of performing soil evaluations in connection with a conventional onsite wastewater system, provided that the engineer has appropriate bonding and insurancein accordance with Section 44-55-827(B).

Renumber sections to conform.

Amend title to conform.

WILLIAM HIXON for Committee.

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A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40‑65‑40, RELATING TO PERSONS EXEMPT FROM LICENSURE AS PROFESSIONAL SOIL CLASSIFIERS, SO AS TO EXEMPT LICENSED PROFESSIONAL ENGINEERS PERFORMING SOIL EVALUATIONS IN CONNECTION WITH CONVENTIONAL ONSITE WASTEWATER SYSTEMS, AND TO PROVIDE THESE ENGINEERS MUST HAVE CERTAIN TRAINING, BONDING, AND INSURANCE.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 40‑65‑40 of the S.C. Code is amended by adding:

(8) A professional engineer licensed by the South Carolina State Board of Registration for Professional Engineers and Surveyors who has been certified by the Department of Environmental Services as successfully completing their onsite wastewater training program, solely for purposes of performing soil evaluations in connection with a conventional onsite wastewater system, provided that the engineer has appropriate bonding and insurance.

SECTION 2. This act takes effect upon approval by the Governor.

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