

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 4516

**FISCAL
NOTE**

By Delegate Kump

[Introduced January 19, 2026; referred to the

Committee on Government Organization]

1 A BILL to amend and reenact §19-21A-3 of the Code of West Virginia, 1931, as amended and to
2 amend the code by adding a new section, designated §19-21A-15, relating to adding a new
3 definition; permitting conservation districts to partially reimburse certain services to septic
4 tanks; creating a process for such reimbursements; and requiring funding for
5 reimbursements.

Be it enacted by the Legislature of West Virginia:

ARTICLE 21A. CONSERVATION DISTRICTS.

§19-21A-3. Definitions.

1 Wherever used or referred to in this article, unless a different meaning clearly appears from
2 the context:

3 (1) "Agency of this state" means the government of this state and any subdivision, agency,
4 or instrumentality, corporate or otherwise, of the government of this state.

5 (2) "Agriculture" means the production of food, fiber, and woodland products, by means of
6 cultivation, tillage of the soil, and by the conduct of animal, livestock, dairy, apiary, equine or
7 poultry husbandry, and the practice of forestry, silviculture, horticulture, harvesting of silviculture
8 products, packing, shipping, milling, and marketing of agricultural products conducted by the
9 proprietor of the agricultural operation, or any other legal plant or animal production and all farm
10 practices.

11 (3) "Committee" or "State Conservation Committee" means the agency created in §19-
12 21A-4 of this code.

13 (4) "Conservation" means the reduction of soil erosion, enhancement of water supplies,
14 control, and abatement of nonpoint sources of water pollution, improvement of water quality,
15 increased aquatic and wildlife habitat, and the reduction of damages caused by floodwater and
16 sediment damages and other natural disasters.

17 "Cooperators" mean property owners with septic tanks on their property regardless of
18 whether the property is agricultural or non-agricultural.

19 (5) "District" or "conservation district" means a subdivision of this state, organized in
20 accordance with the provisions of this article, for the purposes, with the powers and subject to the
21 restrictions hereinafter set forth.

22 (6) "Grant" means the providing of grants for conservation purposes pursuant to legislative
23 rule.

24 (7) "Governing body" means the supervisors of any conservation district, town, or city,
25 council, city commission, county court, or body acting in lieu of a county court, in this state, and the
26 term "governmental division" means any conservation district, town, city, or county in this state.

27 (8) "Land occupier" or "occupier of land" means any person, firm, or corporation who shall
28 hold title to, or shall be in possession of, any lands lying within a district organized under the
29 provisions of this article, whether as owner, lessee, renter, or tenant.

30 (9) "Landowners" or "owners of land" means any person or persons, firm, or corporation
31 who holds title to any lands lying within a district organized under the provisions of this article.

32 (10) "Notice" means notice published as a Class II legal advertisement in compliance with
33 the provisions of §59-3-1 *et seq.* of this code and the publication area for the publication is the
34 county in which is located the appropriate area. At any hearing held pursuant to such notice at the
35 time and place designated in the notice, adjournment may be made, from time to time, without the
36 necessity of renewing the notice for the adjournment dates.

37 (11) "Petition" means a petition filed under the provisions of §19-21A-14 of this code for the
38 creation of a district.

39 (12) "Soil conservation", "erosion control", or "erosion prevention projects" means those
40 projects that have been established by federal agencies in cooperation with state agencies for the
41 purpose of demonstrating soil erosion control and water conservation practices.

42 (13) "State" means the State of West Virginia.

43 (14) "Supervisor" means one of the members of the governing body of a district, elected or
44 appointed in accordance with the provisions of this article.

45 (15) "Urban Agriculture" means the cultivation, processing, and distribution of agricultural
46 products grown in urban and suburban settings, including vertical production, warehouse farms,
47 community gardens, rooftop farms, hydroponic, aeroponic, and aquaponic facilities, and other
48 innovations.

49 (16) "United States" or "agencies of the United States" means the United States of
50 America, Natural Resources Conservation Service of the United States Department of Agriculture,
51 and any other agency or instrumentality, corporate or otherwise, of the United States of America.

52 (17) "Works of improvement" means such structures as may be necessary or convenient
53 for flood prevention or the conservation, development, utilization, or disposal of water.

§19-21A-15. Cost reimbursement of septic tank pumping by conservation districts.

1 (a) Legislative Intent. It is the intent of this legislature to eliminate the open discharge of all
2 wastes, human and industrial, into the air, soil, and waters of West Virginis.

3 (b) Regular maintenance of septic tanks. Cooperators should maintain and periodically
4 pump septic tanks to ensure that they function properly.

5 (c) Reimbursement eligibility. Cooperators requesting for the services listed subsection (b)
6 may be eligible for up to a 50 percent cost reimbursement for maintenance practices, such as
7 septic pumping, disposal of sludge pumping, repairs, and replacements, as follows:

8 (1) Up to \$200 for septic tank service;

9 (2) Up to \$200 for septic tank repairs; or

10 (3) Up to \$9,000 for septic tank replacements.

11 (d) Reimbursement procedures. To be eligible for cost reimbursement, the cooperator shall
12 obtain an estimate from a provider of septic services that is duly licensed to conduct business in
13 this state.

14 (1) The cooperator shall submit the estimate to the appropriate conservation district board
15 of supervisors.

16 (2) After receipt of the estimate the conservation district board shall review the estimate

17 and approve or deny it for reimbursement based upon whether the estimate is reasonable in cost,
18 scope, and location of the proposed services.

19 (3) The conservation district board shall notify the cooperator of its decision, the reasons
20 for such decision, and any additional steps that may be needed by the cooperator.

21 (4) If the estimate is denied by the conversation district board, such board shall notify the
22 cooperator of any steps that may be taken to allow reimbursement.

23 (5) Once approved, the cooperator may have the septic services performed, pay for such
24 services, and submit the paid invoice or receipt to the conversation district board for
25 reimbursement.

26 (6) Upon receipt of the paid invoice or receipt, the conversation district shall remit payment
27 of the reimbursement to the cooperator.

28 (e) *Funding.* For the reimbursement services contain in this section, the Legislature shall
29 allocate to each conversation district an amount of \$20,000 for every 10,000 cooperators in a
30 particular county, but at least \$20,000. To receive this funding, the conservation district must be a
31 member in good standing of the West Virginia Association of Conversation Districts.

NOTE: The purpose of this bill is to permit a conservation district board to partially reimburse services to septic systems in their district.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.