

FIRST REGULAR SESSION

HOUSE BILL NO. 1023

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DOUGHERTY.

2363L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 319, RSMo, by adding thereto one new section relating to mining safety, with an emergency clause.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 319, RSMo, is amended by adding thereto one new section, to be known as section 319.347, to read as follows:

319.347. 1. As used in this section, the following terms mean:

2 (1) "Blasting", the use of explosives for the purpose of mining;

3 (2) "Excavation", the activities defined under section 319.015 when such activities
4 are employed for the purpose of mining;

5 (3) "Mining", any activity conducted on or under the surface of the earth for the
6 extraction of metallic minerals, mineral ores, marble, limestone, coal, oil, natural gas, or
7 other similar natural resources.

8 2. Notwithstanding any other provision of law to the contrary, no person or entity
9 shall engage in blasting, excavation, or mining within one thousand three hundred twenty
10 feet of any residentially zoned property within a political subdivision of this state.

11 3. Any person or entity mining within one thousand three hundred twenty feet of
12 residentially zoned property on or before the effective date of this section may continue
13 such mining operation to the extent of such person or entity's forward progress. Forward
14 progress shall be judged by the closest point of excavation of land for the purpose of
15 removing significant quantities of natural resources to the boundary of residentially zoned
16 property, but shall not include any excavation for the purpose of testing or sampling.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

Section B. Because mining operations in close proximity to residential areas can threaten
2 safety and financial interests of Missouri citizens, section A of this act is deemed necessary for
3 the immediate preservation of the public health, welfare, peace, and safety, and is hereby
4 declared to be an emergency act within the meaning of the constitution, and section A of this act
5 shall be in full force and effect upon its passage and approval.

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