

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute
2 for Senate Bill No. 523, Page 3, Section 45.030, Line 3, by inserting after said section and line the
3 following:
4

5 "66.671. 1. As used in this section, the following terms mean:

6 (1) "County", any county with a charter form of government and with more than nine
7 hundred fifty thousand inhabitants and with historic landfills located in such county;

8 (2) "Historic landfill", any real property for which a county issued an approval before
9 January 1, 1973, for use as a landfill;

10 (3) "Land use permit", any permit required by a county before any action relating to any use
11 of a plot of property containing a historic landfill may occur.

12 2. Each county shall compile and keep a list of all historic landfills in the county and shall
13 make such list available to the public.

14 3. (1) Before July 1, 2021, each county shall establish a procedure to determine whether
15 any reclamation or remediation of a historic landfill has been accomplished safely before issuing
16 any land use permit for such property.

17 (2) The procedure shall ensure that protecting the health of any resident who lives and
18 person who works near the historic landfill is a primary concern during all phases of a reclamation
19 or remediation of the historic landfill.

20 (3) The procedure shall be developed in consultation with residents of the county and any
21 stakeholder representing any entity with an interest in the historic landfill. The development of the
22 procedure shall include public hearings and public meetings that allow for public comments by such
23 residents and stakeholders. At such public hearings and public meetings, residents shall be provided
24 ample opportunity to present in person any statement, testimony, or evidence regarding the resident's
25 concerns about the steps that the county shall include as part of the procedure for reviewing any
26 reclamation or remediation of a historic landfill before the county issues any land use permit. All
27 information presented at such public hearings and public meetings shall be deemed an official
28 record to be preserved by the appropriate custodian of such records in the county.

29 (4) The county shall use all information presented under this subsection in creating the
30 procedure for reviewing a reclamation or remediation of a historic landfill.

31 4. (1) Before issuing any land use permit, the county shall hold public hearings and public
32 meetings that allow for public comments by such residents and stakeholders. At such public
33 hearings and public meetings, residents shall be provided ample opportunity to present in person any
34 statement, testimony, or evidence regarding the resident's concerns about the following:

35 (a) Any reclamation or remediation that was performed on the historic landfill;

36 (b) Any items, substances, or contaminants the resident believes to be in the historic landfill;

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1 (c) Whether any testing was performed on the historic landfill;

2 (d) Whether further testing should be required before the county issues a land use permit;

3 (e) Whether the resident believes the county followed all procedures required under this
4 section for issuing a land use permit; and

5 (f) Any other concern or comment the resident wishes to make about the historic landfill and
6 any related land use permit.

7 (2) All information presented at such public hearings and public meetings shall be deemed
8 an official record to be preserved by the appropriate custodian of such records in the county.

9 (3) The county shall use all information presented under this subsection in determining
10 whether to conduct additional site testing for contaminants beyond any other required site testing
11 before issuing a land use permit.

12 (4) If the county determines that additional testing is necessary based on the records
13 gathered at the public hearings and public meetings, the county shall require the additional
14 necessary testing. If the additional testing determines that any reclamation or remediation was
15 inadequate or that additional reclamation or remediation is necessary, the county shall require any
16 reclamation or remediation of the historic landfill be completed before the county issues any land
17 use permit."; and

18
19 Further amend said bill by amending the title, enacting clause, and intersectional references
20 accordingly.