

SECOND REGULAR SESSION

HOUSE BILL NO. 2738

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE WOODS.

5206H.01I

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal section 444.771, RSMo, and to enact in lieu thereof one new section relating to mining.

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

Section A. Section 444.771, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 444.771, to read as follows:

444.771. ~~[Notwithstanding any other provision of law to the contrary, the commission and the department shall not issue any permits under this chapter or under chapters 643 or 644 to any person whose mine plan boundary is within one thousand feet of any real property where an accredited school has been located for at least five years prior to such application for permits made under these provisions, except that the provisions of this section shall not apply to any request for an expansion to an existing mine or to any underground mining operation]~~
No operation that refines cobalt, lithium, rare earth elements, lead, zinc, nickel, cadmium, manganese, iron, or silver, or manufactures or recycles products that contain these elements, shall occur within one mile of any wildlife refuge designated by the Missouri conservation commission under 3 CSR 10-12.105, surface water as defined under section 640.403, state conservation area, state park, public land as defined by 43 U.S.C. Section 1702(e), park in the National Parks System under 54 U.S.C. Section 100101 et seq., residence, or school. This section shall not apply to mines, refineries, manufacturing plants, or recycling plants in full operation on August 28, 2026.

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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.