HB 2905 -- FEDERALLY MANAGED LANDS

SPONSOR: Mayhew

NATURAL RESOURCES AND COMMUNITY PROTECTION ACT (Section 1.2050)

This bill establishes the "Natural Resources and Community Protection Act", which applies to all Federally-managed lands within the State, except any area specifically excluded by the United States Constitution.

The bill prohibits Federal agencies from acquiring land within Missouri or imposing new regulations on existing Federally-managed land unless the General Assembly gives express consent and the agency seeking to acquire lands consults with the affected communities in at least two public hearings held in the county seat of each affected county.

Federal regulations conflicting with State laws governing natural resources are unenforceable unless explicitly authorized by Congress.

The bill specifies that State and local law enforcement agencies have primary authority to enforce laws related to natural resources within areas of concurrent jurisdiction. Federal enforcement actions related to natural resources, traffic laws, or the Missouri criminal code within Missouri must meet certain requirements, specified in the bill. Any enforcement actions by Federal officers in violation of these requirements are unlawful and subject to penalties, specified in the bill.

Federal law enforcement officers are prohibited from impounding vehicles, seizing domestic animals, or confiscating personal property except under certain circumstances specified in the bill. Any property seized in violation of these provisions will be returned immediately to the owner and the Federal agency involved will be subject to penalties.

Revenues generated from activities on Federally-managed lands within Missouri, including resource extraction, permits, and fines, must be shared with the State government and allocated as specified in the bill.

Federal agencies must obtain State permits for any water use, diversion, or activities that can impact water quality. Hunting, fishing, and wildlife management on Federally-managed lands must comply with State laws and regulations. Federal agencies must

obtain State approval for any mining or resource extraction activities on Federally-managed lands.

A "State-Federal Dispute Resolution Board" will be established to mediate conflicts between Federal agencies and State authorities over land management and enforcement actions. The Board will include representatives from the Department of Natural Resources, local governments, legal experts, two members of the House of Representatives appointed by the Speaker, and two members of the Senate appointed by the President Pro Tem. The bill requires mediation before any new Federal regulations or enforcement actions affecting natural resources are implemented.

All navigable rivers and streams of the State must remain available for public use, regardless of Federal ownership of surrounding lands.

The bill requires the State to impose an annual property tax on all Federally-managed lands within its boundaries. Revenue from this tax must be allocated to local governments to offset economic impacts of Federal land ownership.

Residents or local governments adversely affected can file suit in State court for injunctive relief or damages. Any Federal agency found in violation the provisions of this bill must cease the offending action immediately and pay civil penalties as determined by a court of competent jurisdiction.

JURISDICTION OVER MISSOURI LAND (Section 12.025)

Currently, Missouri has ceded to the Federal government concurrent jurisdiction within the area comprising the Ozark Scenic Riverways as long as the area is administered and maintained by the Federal government.

This bill repeals this statutory language granting concurrent jurisdiction and provides that concurrent jurisdiction will not apply to state highways or county roads on Federally owned and controlled land used as an honor farm in connection with the operation of a federal penitentiary.

The bill further provides that Federal officers may not pursue, arrest, or detain for violations of law that occur outside of federal property unless a memorandum of understanding is agreed to and signed by Federal authorities and the State and local law enforcement.

Federal officers or property managers must not close any road without prior written approval of the State and county commissions, excluding emergencies. Roads closed by Federal agencies previously are deemed open for public use, and future road closures must follow all applicable State statutes.

This bill is similar to HCS HB 1442 (2025).