

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 774, Page 6, Section 45.030, Line 3, by  
2 inserting after said section and line the following:

3  
4 "66.671. 1. As used in this section, the following terms mean:

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

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

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

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

13 3. (1) Before July 1, 2021, each county shall establish a procedure to determine whether  
14 any reclamation or remediation of a historic landfill has been accomplished safely before issuing  
15 any land use permit for such property.

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

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

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

30 4. (1) Before issuing any land use permit, the county shall hold public hearings and public  
31 meetings that allow for public comments by such residents and stakeholders. At such public  
32 hearings and public meetings, residents shall be provided ample opportunity to present in person any  
33 statement, testimony, or evidence regarding the resident's concerns about the following:

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

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

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

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

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

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

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

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

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

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

17  
18 Further amend said bill by amending the title, enacting clause, and intersectional references  
19 accordingly.