

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

SENATE BILL 1405

By: Shurden

AS INTRODUCED

An Act relating to mines and mining; requiring certain restoration of prime farmland; defining term; prohibiting Department of Mines from permitting mining operation within certain distance of habitable structure; stating exception; providing for codification; providing effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 740.2A of Title 45, unless there is created a duplication in numbering, reads as follows:

Any abandoned or closed mining operation located in this state on property that was once suitable for farming shall be restored as prime farmland during any remediation or reclamation efforts required of any responsible party. Restoration as prime farmland shall at a minimum include, but not be limited to, soil replacement to a depth of sixty (60) inches.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 724.1 of Title 45, unless there is created a duplication in numbering, reads as follows:

The Department of Mines shall not issue any permit for a proposed mining operation to be located on any property within one-half (1/2) mile of any habitable residence unless the property owner authorizes, in writing, the Department to proceed with the permitting process.

SECTION 3. This act shall become effective July 1, 2002.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

48-2-2801

MJM

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