

ENGROSSED HOUSE  
BILL NO. 2462

By: Smaligo and Liotta of the  
House

and

Brogdon of the Senate

( mines and mining - distance limitations -  
codification -  
effective date )

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 11 of Title 45, unless there is created a duplication in numbering, reads as follows:

After November 1, 2004, and subject to valid existing rights, no stone quarry operations except those which existed on November 1, 2004, shall be permitted:

1. Within one hundred (100) feet of the outside right-of-way line of any public road, except where mine access roads or haulage roads join such right-of-way line. The Department of Mines may permit such roads to be relocated or the area affected to lie within one hundred (100) feet of such road, if, after public notice and opportunity for public hearing in the locality, a written finding is made that the interests of the public and the landowners affected thereby will be protected;

2. Within three hundred (300) feet from any occupied dwelling, unless waived by the owner thereof, within three hundred (300) feet of any public building, school, church, community or institutional building, or public park, or within one hundred (100) feet of a cemetery;

3. Within twenty-five (25) feet plus one and one-half (1 1/2) times the depth of the surface cut from the property line of an adjacent property owner, if the surface cut removes and does not replace lateral support, unless there is written agreement between the operator and the adjacent property owner; or

4. On any land prohibited by federal law.

SECTION 2. This act shall become effective November 1, 2004.

Passed the House of Representatives the 4th day of March, 2004.

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Presiding Officer of the House of  
Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2004.

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Presiding Officer of the Senate