

## Committee on Rules

### **HB 167 — Former Phosphate Mining Lands**

by Reps. McClure and Gentry

The bill establishes a defense from strict liability in lawsuits brought by the Department of Environmental Protection or others for a cause of action based on a natural geological substance on the site of a former phosphate mine.

For a defendant to be exempt from strict liability under the defense created by the bill, the defendant must prove that:

- A notice identifying the property as a former phosphate mine has been recorded within the county where the property is located; and
- The Department of Health has conducted a gamma radiation survey of the land parcel at the request of a landowner.

For any lawsuit based on strict liability, negligence, or similar conduct related to an alleged discharge of hazardous substances or condition of pollution related to phosphate mining, the bill requires the plaintiff to include a radiation survey meeting certain requirements with the complaint.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect on July 1, 2026.

*Vote: Senate 32-4; House 87-24*