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1 A bill to be entitled 2 An act relating to actions against public-use 3 airports; creating s. 332.15, F.S.; providing 4 definitions; providing exemption from civil liability 5 and criminal prosecution for an owner, operator, or 6 user of a public-use airport with respect to noise 7 pollution resulting from such operation or use; 8 providing exemption from a nuisance action for such 9 owner, operator, or user; prohibiting a court from enjoining the use or operation of a public-use airport 10 11 on the basis of noise or noise pollution; prohibiting 12 an owner of certain property from maintaining a 13 nuisance action against an owner or operator of a 14 public-use airport; exempting a public-use airport 15 from specified rules; providing construction; 16 providing an effective date. 17 Be It Enacted by the Legislature of the State of Florida: 18 19 20 Section 1. Section 332.15, Florida Statutes, is created to 21 read: 22 332.15 Public-use airports; definitions; exemption from 23 liability, nuisance actions, and specified rules.-24 (1) As used in this section, the term: 25 (a) "Airport" means an area of land or water, or a manmade

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object or facility located therein, whether publicly or privately owned, which is used, or intended for public use, for the landing and takeoff of aircraft, and any appurtenant areas which are used, or intended for public use, for airport buildings or other airport facilities or rights-of-way.

- (b) "Person" means an individual, corporation,
 proprietorship, partnership, association, club, two or more
 persons having a joint or common interest, or any other legal
 entity.
- (c) "Public-use airport" means a publicly or privately owned airport which is used or to be used for public purposes.
 - (2) Notwithstanding any other provision of law:
- (a) A person who owns, operates, or uses a public-use airport in this state is not subject to civil liability or criminal prosecution in any matter relating to noise or noise pollution that results from the operation or use of the public-use airport.
- (b) A person who owns, operates, or uses a public-use airport is not subject to an action for nuisance, and a court of this state may not enjoin the use or operation of a public-use airport on the basis of noise or noise pollution.
- (c) A person who acquires title to or owns real property adversely affected by the operation or use of a permanently located public-use airport, which property was acquired after the time of construction or initial operation of the public-use

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airport,	may not	maint	ain a	nui	sance	actio	n aga	ainst	a person	who
owns or	operates	the p	ublic	-use	airp	ort to	res	train,	enjoin,	or
impede the operation or use of the public-use airport.										

- This subsection does not prohibit an action for negligence or recklessness in the operation of a public-use airport or by a person using a public-use airport.
- (3) A rule adopted by a state agency to limit levels of noise in terms of decibel levels which may occur in the outdoor atmosphere does not apply to a public-use airport exempted from liability under this section.
 - (4) This section does not prohibit a local government from regulating the location and construction of a public-use airport after July 1, 2023.
 - Section 2. This act shall take effect July 1, 2023.

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