

By Senator Avila

39-00266A-25

2025486__

1 A bill to be entitled
2 An act relating to limestone mining operations;
3 creating s. 552.31, F.S.; providing legislative
4 findings and intent; providing that the Division of
5 Administrative Hearings has exclusive jurisdiction
6 over all claims for damages to real or personal
7 property caused by limestone mining operations;
8 authorizing a property owner to initiate an
9 administrative proceeding to recover damages resulting
10 from limestone mining operations; requiring
11 administrative law judges to consider a certain State
12 Fire Marshal report as part of the evidence presented
13 in a formal administrative hearing; providing for
14 preemption; defining the term "limestone mining
15 operations"; providing an effective date.

16
17 Be It Enacted by the Legislature of the State of Florida:

18
19 Section 1. Section 552.31, Florida Statutes, is created to
20 read:

21 552.31 Construction materials mining activities; limestone
22 mining operations.-

23 (1) The Legislature finds that:

24 (a) Limestone mining for aggregate is an essential
25 component of this state's economy, contributing to
26 infrastructure development and construction by providing a cost-
27 effective source of concrete.

28 (b) Limiting limestone mining operations would result in
29 increased costs of construction, adversely affecting this

39-00266A-25

2025486__

30 state's economy and residents.

31 (c) More permits for construction materials mining
32 activities have been issued to entities operating in Miami-Dade
33 County than any other county in this state.

34 (d) Residents in Miami-Dade County have reported property
35 damage resulting from ground vibrations caused by limestone
36 mining operations.

37 (2) It is the intent of the Legislature to provide a fair
38 and equitable remedy for a property owner whose property is
39 damaged by limestone mining operations.

40 (3) (a) The Division of Administrative Hearings has
41 exclusive jurisdiction over all claims for damages to real or
42 personal property caused by limestone mining operations pursuant
43 to s. 552.36.

44 (b)1. A property owner may initiate an administrative
45 proceeding to recover damages resulting from limestone mining
46 operations by filing a petition with the division under s.
47 552.40.

48 2. If a formal administrative hearing is scheduled under s.
49 552.40, as part of the evidence presented, the administrative
50 law judge shall consider the State Fire Marshal report of the
51 blast resulting from the use of explosives for limestone mining
52 operations pursuant to s. 552.30.

53 (c) Notwithstanding s. 552.25, the review procedures set
54 forth in this chapter preempt any claims, recovery, or similar
55 procedure of a municipality, agency, board, or county or any
56 other subdivision, entity, or special district of this state
57 which would otherwise address a claim for damage caused by
58 limestone mining operations.

39-00266A-25

2025486__

59 (4) As used in this section, the term "limestone mining
60 operations" means the extraction and processing of limestone for
61 use in construction aggregate.

62 Section 2. This act shall take effect July 1, 2025.