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ABOUT MEMBERS EV
NEWS

DID YOU KNOW? Corporations VOTED to adopt this. Through ALEC, global companies work as “equals” in “unison” with politicians to write laws to govern your life. Big Business has “a VOICE and a VOTE,” according to newly exposed documents. **DO YOU?**

The Environmental Buffer Disclosure Act

Summary

This Act protects the rights of property owners whose real property contains an environmental buffer zone from the alleged devaluation of adjacent principles.

Model Legislation

Section 1. {Definitions}

(A) In this Act, the term “buffer zone” shall mean an identified area of real property that is:

- (1) required to separate a specified activity, facility, or equipment from other persons or property; and
- (2) is free of any specified activities

(B) “Permit” means an authorization by license, permit, certificate, registration, or other form of permission required by law or agency rule to engage in particular activity.

Section 2. {Filing Procedures}

(A) The holder of a permit issued by an authorized environmental agency that includes as a condition of issuance the existence of a buffer zone shall file, in the deed records in a county in which any real property in the buffer zone is located, notice that includes:

- (1) a statement that all or an unspecified part of the particular tract of the real property is located in a buffer zone required as a condition of a permit issued by the commission.
- (2) The number of the permit.
- (3) An adequate legal description of the particular tract of real property located entirely in a buffer zone.

(C) A permit issued under this chapter that includes as a condition of issuance the existence of a buffer zone does not take effect until the permit holder has filed the notice required by this section.

Section 3. {Disclosure}

(A) The purpose of this section is to provide notice to potential purchasers of property that an entire tract of real property is located a certain distance from a facility operation of activity that is subject to environmental regulation. Because existing siting requirements sufficiently address environmental and safety concerns, the existence of a buffer zone requirement may not be construed to raise environmental or health and safety concerns or to suggest adverse effects on persons located or acting inside the buffer zone.

(B) In an action for damages arising from the alleged devaluation of property resulting from a statement filed in the county deed records that all of a particular tract of real property is located in a buffer zone, it is an affirmative defense that the statement was filed in compliance with this section.

(C) This section does not apply to real property owned by a permit holder that is located in a buffer zone required as a condition of that permit.

{Effective date}

{Severability clause}

{Repealer clause}

Were your laws repealed?

ALEC's Sourcebook of American State Legislation 1996

ALEC EXPOSED

“ALEC” has long been a secretive collaboration between Big Business and “conservative” politicians. Behind closed doors, they ghostwrite “model” bills to be introduced in state capitols across the country. This agenda-underwritten by global corporations—includes major tax loopholes for big industries and the super rich, proposals to offshore U.S. jobs and gut minimum wage, and efforts to weaken public health, safety, and environmental protections. Although many of these bills have become law, until now, their origin has been largely unknown. With **ALEC EXPOSED**, the Center for Media and Democracy hopes more Americans will study the bills to understand the depth and breadth of how big corporations are changing the legal rules and undermining democracy across the nation.

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—in recent past or present

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- For more on these corporations, search at www.SourceWatch.org.

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