

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

31 (b) "Person" means an individual, corporation,
32 proprietorship, partnership, association, club, two or more
33 persons having a joint or common interest, or any other legal
34 entity.

35 (c) "Public-use airport" means a publicly or privately
36 owned airport which is used or to be used for public purposes.

37 (2) Notwithstanding any other provision of law:

38 (a) A person who owns, operates, or uses a public-use
39 airport in this state is not subject to civil liability or
40 criminal prosecution in any matter relating to noise or noise
41 pollution that results from the operation or use of the public-
42 use airport.

43 (b) A person who owns, operates, or uses a public-use
44 airport is not subject to an action for nuisance, and a court of
45 this state may not enjoin the use or operation of a public-use
46 airport on the basis of noise or noise pollution.

47 (c) A person who acquires title to or owns real property
48 adversely affected by the operation or use of a permanently
49 located public-use airport, which property was acquired after
50 the time of construction or initial operation of the public-use

51 airport, may not maintain a nuisance action against a person who
52 owns or operates the public-use airport to restrain, enjoin, or
53 impede the operation or use of the public-use airport.

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55 This subsection does not prohibit an action for negligence or
56 recklessness in the operation of a public-use airport or by a
57 person using a public-use airport.

58 (3) A rule adopted by a state agency to limit levels of
59 noise in terms of decibel levels which may occur in the outdoor
60 atmosphere does not apply to a public-use airport exempted from
61 liability under this section.

62 (4) This section does not prohibit a local government from
63 regulating the location and construction of a public-use airport
64 after July 1, 2023.

65 Section 2. This act shall take effect July 1, 2023.