

HB 1199

2020

1 A bill to be entitled
2 An act relating to the Environmental Protection Act;
3 amending s. 403.412, F.S.; prohibiting local
4 governments from recognizing or granting certain legal
5 rights to the natural environment or granting such
6 rights relating to the natural environment to a person
7 or political subdivision; providing construction;
8 providing an effective date.

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10 Be It Enacted by the Legislature of the State of Florida:

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12 Section 1. Subsection (9) is added to section 403.412,
13 Florida Statutes, to read:

14 403.412 Environmental Protection Act.—

15 (9) (a) A local government regulation, ordinance, code,
16 rule, comprehensive plan, charter, or any other provision of law
17 may not recognize or grant any legal rights to a plant, an
18 animal, a body of water, or any other part of the natural
19 environment that is not a person or political subdivision as
20 defined in s. 1.01 or grant such person or political subdivision
21 any specific rights relating to the natural environment not
22 otherwise authorized in general law or specifically granted in
23 the State Constitution.

24 (b) This subsection does not limit the power of an
25 adversely affected party to challenge the consistency of a

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26 | development order with a comprehensive plan as provided in s.
27 | 163.3215 or to file an action for injunctive relief to enforce
28 | the terms of a development agreement or challenge compliance of
29 | the agreement as provided in s. 163.3243.

30 | (c) This subsection does not limit the standing of the
31 | Department of Legal Affairs, a political subdivision or
32 | municipality of the state, or a citizen of the state to maintain
33 | an action for injunctive relief as provided in this section.

34 | Section 2. This act shall take effect upon becoming a law.