A bill to be entitled
An act relating to the Florida Endangered and
Threatened Species Act; amending s. 379.2291, F.S.;
revising legislative intent; revising definitions;
directing the Fish and Wildlife Conservation
Commission to protect certain declassified species;
prohibiting the commission and the Department of
Environmental Protection from considering certain
costs when designating a species as endangered or
threatened; amending s. 581.185, F.S.; revising
criteria for placement of species on the Regulated
Plant Index by the Department of Agriculture and
Consumer Services; directing the department, in
consultation with the Endangered Plant Advisory
Council, to protect certain declassified species;
prohibiting the department from considering certain
costs when designating a species as endangered or
threatened; providing an effective date.

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

Section 1. Subsections (2), (3), and (4) of section
379.2291, Florida Statutes, are amended to read:

379.2291 Endangered and Threatened Species Act.—
(2) DECLARATION OF POLICY.—The Legislature recognizes that
the State of Florida harbors a wide diversity of fish and
wildlife and that it is the policy of this state to conserve and
wisely manage these resources, with particular attention to
those species designated defined by the Fish and Wildlife
Conservation Commission, the Department of Environmental Protection, or the United States Department of Interior, or successor agencies, as being endangered or threatened. As Florida has more endangered and threatened species than any other continental state, it is the intent of the Legislature to provide for research and management to conserve and protect these species as a natural resource.

(3) DEFINITIONS.—As used in this section:

(a) “Fish and wildlife” means any member of the animal kingdom, including, but not limited to, any mammal, fish, bird, amphibian, reptile, mollusk, crustacean, arthropod, or other invertebrate.

(b) “Endangered species” means any species of fish and wildlife naturally occurring in Florida, whose prospects of survival are in jeopardy due to modification or loss of habitat; overuse overutilization for commercial, sporting, scientific, or educational purposes; disease; predation; inadequacy of regulatory mechanisms; or other natural or manmade factors affecting its continued existence, including climate change.

(c) “Threatened species” means any species of fish and wildlife naturally occurring in Florida which may not be in immediate danger of extinction, but which exists in such small populations as to become endangered if it is subjected to increased stress as a result of further modification of its environment, including climate change.

(4) INTERAGENCY COORDINATION.—

(a) The commission shall be responsible for research and management of freshwater and upland species and for research and management of marine species.
(b) Recognizing that citizen awareness is a key element in the success of this plan, the commission and the Department of Education are encouraged to work together to develop a public education program with emphasis on, but not limited to, both public and private schools.

(c) The commission, in consultation with the Department of Agriculture and Consumer Services, the Department of Economic Opportunity, or the Department of Transportation, may establish reduced speed zones along roads, streets, and highways to protect endangered and threatened species or threatened species.

(d) Notwithstanding declassification under the federal Endangered Species Act of 1973, the commission shall continue to protect species that meet the definition of endangered or threatened under subsection (3), as determined by the commission.

(e) The commission and the Department of Environmental Protection may not consider the economic cost of protecting a species as a factor in designating the species as endangered or threatened.

Section 2. Subsection (5) of section 581.185, Florida Statutes, is amended to read:

581.185 Preservation of native flora of Florida.—

(5) REVIEW.—

(a) Beginning in 1984, and every 4 years thereafter, the department and the Endangered Plant Advisory Council shall conduct a comprehensive review of this section and of the Regulated Plant Index, as provided in rules of the department, shall be made by the department and the Endangered Plant Advisory Council at 4-year intervals.
(b) The department shall consider any species of plant that should be placed on the Regulated Plant Index which is in danger of disappearing from its native habitat within the foreseeable future throughout all or a significant portion of the range of the species because of:

1. Present or threatened destruction, modification, or curtailment of the range of the species.
2. Overuse of the species for commercial, scientific, or educational purposes.
3. Disease or predation.
4. Any other natural or manmade factor affecting the continued existence of the species, including climate change.

(c) In carrying out reviews and arriving at recommendations under paragraphs (a) and (b), the department and the advisory council shall use the best scientific and commercial data available and shall consult with interested persons and organizations.

(d) Notwithstanding declassification under the federal Endangered Species Act of 1973, the department shall continue to protect species that meet the definition of endangered or threatened under subsection (2), as determined by the department in consultation with the advisory council.

(e) The department may not consider the economic cost of protecting a species as a factor in designating the species as endangered or threatened.

Section 3. This act shall take effect July 1, 2020.