

By the Committee on Environment and Natural Resources; and
Senator Rodriguez

592-03420-20

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1 A bill to be entitled
2 An act relating to endangered and threatened species;
3 amending s. 379.2291, F.S.; revising legislative
4 intent of the Florida Endangered and Threatened
5 Species Act; revising definitions; directing the Fish
6 and Wildlife Conservation Commission to protect
7 certain declassified species; prohibiting the
8 commission from considering certain costs when
9 designating a species as endangered or threatened;
10 amending s. 581.185, F.S.; revising criteria for
11 placement of species on the Regulated Plant Index by
12 the Department of Agriculture and Consumer Services;
13 directing the department, in consultation with the
14 Endangered Plant Advisory Council, to protect certain
15 declassified species; prohibiting the department from
16 considering certain costs when designating a species
17 as endangered or threatened; providing an effective
18 date.

19
20 Be It Enacted by the Legislature of the State of Florida:

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22 Section 1. Subsections (2), (3), and (4) of section
23 379.2291, Florida Statutes, are amended to read:

24 379.2291 Endangered and Threatened Species Act.—

25 (2) DECLARATION OF POLICY.—The Legislature recognizes that
26 the State of Florida harbors a wide diversity of fish and
27 wildlife and that it is the policy of this state to conserve and
28 wisely manage these resources, with particular attention to
29 those species designated ~~defined~~ by the Fish and Wildlife

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30 Conservation Commission, the Department of Environmental
31 Protection, or the United States Department of Interior, or
32 successor agencies, as being endangered or threatened. As
33 Florida has more endangered and threatened species than any
34 other continental state, it is the intent of the Legislature to
35 provide for research and management to conserve and protect
36 these species as a natural resource.

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

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

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

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

55 (4) INTERAGENCY COORDINATION.—

56 (a) The commission shall be responsible for research and
57 management of freshwater and upland species and for research and
58 management of marine species.

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59 (b) Recognizing that citizen awareness is a key element in
60 the success of this plan, the commission and the Department of
61 Education are encouraged to work together to develop a public
62 education program with emphasis on, but not limited to, both
63 public and private schools.

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

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

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

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

79 581.185 Preservation of native flora of Florida.—

80 (5) REVIEW.—

81 (a) Beginning in 1984, and every 4 years thereafter, the
82 department and the Endangered Plant Advisory Council shall
83 conduct a comprehensive review of this section and of the
84 Regulated Plant Index, as provided in rules of the department,
85 ~~shall be made by the department and the Endangered Plant~~
86 ~~Advisory Council at 4-year intervals.~~

87 (b) The department shall consider any species of plant that

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88 should be placed on the Regulated Plant Index which is in danger
89 of disappearing from its native habitat within the foreseeable
90 future throughout all or a significant portion of the range of
91 the species because of:

92 1. Present or threatened destruction, modification, or
93 curtailment of the range of the species.

94 2. Overuse ~~Overutilization~~ of the species for commercial,
95 scientific, or educational purposes.

96 3. Disease or predation.

97 4. Any other natural or manmade factor affecting the
98 continued existence of the species, including climate change.

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

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

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

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