

Bill No. CS for SB 2122, 1st Eng.

Amendment No. Barcode 310986

| | <u>Senate</u> | CHAMBER ACTION | <u>House</u> |
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| 11 | Senator Lawson moved the following amendment: | | |
| 12 | | | |
| 13 | Senate Amendment (with title amendment) | | |
| 14 | On page 24, line 1, through | | |
| 15 | page 25, line 13, delete those lines | | |
| 16 | | | |
| 17 | and insert: | | |
| 18 | Section 15. Subsection (5) of section 403.412, Florida | | |
| 19 | Statutes, is amended, present subsection (6) is renumbered as | | |
| 20 | subsection (8), and new subsections (6) and (7) are added to | | |
| 21 | that section to read: | | |
| 22 | 403.412 Environmental Protection Act.-- | | |
| 23 | (5) In any administrative, licensing, or other | | |
| 24 | proceedings authorized by law for the protection of the air, | | |
| 25 | water, or other natural resources of the state from pollution, | | |
| 26 | impairment, or destruction, the Department of Legal Affairs, a | | |
| 27 | political subdivision or municipality of the state, or a | | |
| 28 | citizen of the state shall have standing to intervene as a | | |
| 29 | party on the filing of a verified pleading asserting that the | | |
| 30 | activity, conduct, or product to be licensed or permitted has | | |
| 31 | or will have the effect of impairing, polluting, or otherwise | | |

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1 injuring the air, water, or other natural resources of the
2 state. As used in this section and as it relates to citizens,
3 the term "intervene" means to join an ongoing s. 120.569 or s.
4 120.57 proceeding; this section does not authorize a citizen
5 to institute, initiate, petition for, or request a proceeding
6 under s. 120.569 or s. 120.57. Nothing herein limits or
7 prohibits a citizen whose substantial interests will be
8 determined or affected by a proposed agency action from
9 initiating a formal administrative proceeding under s. 120.569
10 or s. 120.57. A citizen's substantial interests shall be
11 considered to be determined or affected if a petitioner
12 establishes that the proposed activity, conduct, or product to
13 be licensed or permitted affects the petitioner's use or
14 enjoyment of air, water, or natural resources protected by
15 this chapter. A demonstration of special injury different in
16 kind from the general public at large is not required.

17 (6) Notwithstanding any other provisions of this
18 section, any nonprofit corporation or association that
19 demonstrates that it was formed for the purpose of the
20 protection of the environment, fish and wildlife resources,
21 protection of air and water quality, or recreation, may
22 initiate a hearing pursuant to s. 120.569 or s. 120.57.

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