

1 A bill to be entitled
 2 An act relating to aircraft safety; providing a short
 3 title; creating s. 379.2293, F.S.; providing legislative
 4 findings and intent; exempting airport authorities and
 5 other entities from penalties, restrictions, liabilities,
 6 or sanctions with respect to authorized action taken to
 7 protect human life or aircraft from wildlife hazards;
 8 defining the term "authorized action taken for the purpose
 9 of protecting human life or aircraft safety from wildlife
 10 hazards"; providing that such actions prevail over certain
 11 other regulations, permits, comprehensive plans, and laws;
 12 providing immunity from penalties with respect to
 13 authorized action for certain individuals; providing an
 14 effective date.

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

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 18 Section 1. This act may be cited as the "Airline Safety
 19 and Wildlife Protection Act of Florida."

20 Section 2. Section 379.2293, Florida Statutes, is created
 21 to read:

22 379.2293 Airport activities within the scope of a permit
 23 or other authorization for depredation or harassment.--

24 (1) The Legislature finds and declares that the ability of
 25 airports to manage wildlife hazards in a manner consistent with
 26 state and federal law is necessary to prevent jeopardy to human
 27 life or aircraft safety. It is the intent of the Legislature
 28 that actions taken by airports within the scope of

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29 authorizations to manage wildlife for such purposes not be
30 subject to penalties, restrictions, liabilities, or sanctions
31 and that such authorizations not be superseded by actions of
32 other state or local agencies.

33 (2) Notwithstanding any other provision of law to the
34 contrary, an airport authority or other entity owning or
35 operating an airport is not subject to any administrative,
36 civil, or criminal penalty, restriction, liability, or other
37 sanction with respect to any authorized action taken for the
38 purpose of protecting human life or aircraft safety from
39 wildlife hazards.

40 (3) For purposes of this section, an "authorized action
41 taken for the purpose of protecting human life or aircraft
42 safety from wildlife hazards" is an action authorized by or
43 within the scope of any of the following:

44 (a) The airport's wildlife hazard management plan, as
45 approved by the Federal Aviation Administration.

46 (b) A depredation permit issued by the United States Fish
47 and Wildlife Service.

48 (c) A standing order of the United States Fish and
49 Wildlife Service.

50 (d) Rule 68A-9.010(4) or rule 68A-27.002, Florida
51 Administrative Code, or a permit authorizing the harassment of
52 wildlife issued by the Fish and Wildlife Conservation
53 Commission.

54 (4) If an action authorized under subsection (3) conflicts
55 or appears to conflict with a development permit, land-
56 development regulation, local comprehensive plan, or other

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57 environmental or land-use law, rule, restriction, or
58 requirement, the authorization described in subsection (3) shall
59 prevail.

60 (5) In addition to applying to the airport authority or
61 other owner or operator of the airport, the immunities conferred
62 by this section also apply to any officer, employee, contractor,
63 or employee of a contractor of the airport authority or other
64 owner or operator of the airport, or any member of the airport's
65 governing body, to the extent that the actions of the officer,
66 employee, contractor, contractor's employee, or member are
67 authorized by or within the scope of one or more of the legal
68 authorities described in subsection (3).

69 Section 3. This act shall take effect upon becoming a law.