

By Senator Farmer

34-01725-22

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1 A bill to be entitled
2 An act relating to legal rights of the natural
3 environment; amending s. 403.412, F.S.; repealing
4 provisions prohibiting local governments from
5 recognizing or granting certain legal rights to the
6 natural environment or granting such rights relating
7 to the natural environment to a person or political
8 subdivision; 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) of section 403.412, Florida
13 Statutes, is amended 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(8) or grant such person or political~~
21 ~~subdivision any specific rights relating to the natural~~
22 ~~environment not otherwise authorized in general law or~~
23 ~~specifically granted in the State Constitution.~~

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

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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 July 1, 2022.