A bill to be entitled

An act relating to conversion charter schools; amending s. 1002.33, F.S.; providing that specified mediation requirements apply to disputes between a district school board and conversion charter school regarding mutual management plans; providing an effective date.

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

Section 1. Paragraph (a) of subsection (18) of section 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(18) FACILITIES.—

(a)1. A startup charter school shall utilize facilities which comply with the Florida Building Code pursuant to chapter 553 except for the State Requirements for Educational Facilities. Conversion charter schools shall utilize facilities that comply with the State Requirements for Educational Facilities provided that the school district and the charter school have entered into a mutual management plan for the reasonable maintenance of such facilities. The mutual management plan shall contain a provision by which the district school board agrees to maintain charter school facilities in the same manner as its other public schools within the district. Any

dispute regarding the mutual management plan shall be resolved pursuant to paragraph (7)(b). Charter schools, with the exception of conversion charter schools, are not required to comply, but may choose to comply, with the State Requirements for Educational Facilities of the Florida Building Code adopted pursuant to s. 1013.37.

2. The local governing authority may not adopt, impose, or enforce any local building requirements, site-development restrictions, or operational requirements that impact parking and site-size criteria, student enrollment and capacity, hours of operation, and occupant load:

a. That are addressed by and more stringent than those found in the State Requirements for Educational Facilities of the Florida Building Code; or

b. That are not uniformly imposed or enforced by the local governing authority upon public schools within the jurisdiction of the local governing authority.

3. A local governing authority must treat charter schools equitably in comparison to similar requirements, restrictions, and site planning processes imposed upon public schools that are not charter schools, including such provisions that are established by interlocal agreement, development order, or development permit. An interlocal agreement entered into by a school district for the development of only its own schools, including provisions relating to the extension of

infrastructure, may be used by charter schools. A charter school may not be subject to any land use regulation requiring a change to a local government comprehensive plan or requiring a development order or development permit, as those terms are defined in s. 163.3164, or any requirement or restriction that would not be required for a public or private school in the same location or a location on which a public or private school has previously been permitted. A local governing authority may not apply or enforce a condition against a charter school unless the condition is uniformly applied to other public schools within the jurisdiction of the local governing authority and the charter school is located on property that is the subject of a previously approved development order or development permit, and if such development order or development permit contains conditions applicable to the construction or operation of a public or private school, including, but not limited to:

a. Limits on the number of students;

b. Limits on the number of teachers;

c. Limits on the number of classrooms;

d. Limits on the hours of operation;

e. Minimum outdoor recreation area; or

f. Requirements to conform to a prior plan of development.

4. The agency having jurisdiction for inspection of a facility and issuance of a certificate of occupancy or use shall be the local municipality or, if in an unincorporated area, the

county governing authority. A charter school that meets the requirements of state law consistent with the requirements of this subsection shall be administratively approved by the local governing authority. If a local governing authority refuses to comply with this subsection, the aggrieved school or entity has an immediate right to bring an action in circuit court to enforce its rights. An aggrieved party that prevails in such an action may be awarded attorney fees and court costs.

Section 2. This act shall take effect July 1, 2026.