

26 facilities and services may not be made subject to concurrency
27 on a statewide basis without approval by the Legislature;
28 however, any local government may extend the concurrency
29 requirement so that it applies to additional public facilities
30 within its jurisdiction.

31 (c) Notwithstanding any other provision of law to the
32 contrary, construction projects of public facilities, as defined
33 in s. 163.3164, that are necessary to ensure the protection of
34 the health, safety, and general welfare, including public
35 schools, shall be exempt from concurrency. Because charter
36 schools are a part of concurrency and serve a public good, local
37 governments are authorized to grant special variances for the
38 opening of a charter school in a manner consistent with
39 traditional public schools.

40 **Section 2. Paragraph (c) is added to subsection (5) of**
41 **section 163.31801, Florida Statutes, to read:**

42 163.31801 Impact fees; short title; intent; minimum
43 requirements; audits; challenges.—

44 (5)

45 (c) Notwithstanding any other provision of law to the
46 contrary, if a local government or special district charges and
47 collects an education impact fee, a developer may contract with
48 a school district or charter school to provide an improvement or
49 contribution, including monetary contributions, land
50 dedications, site planning and design, or construction, and

51 shall be credited against the collection of the education impact
52 fee on a dollar-for-dollar basis at fair market value. The
53 public school that benefits from the improvement or contribution
54 must be within a 3-mile radius of the development. Such credits
55 shall be approved by the local government or special district.

56 **Section 3. Section 316.18941, Florida Statutes, is created**
57 **to read:**

58 316.18941 Vehicular stacking during school hours.—
59 Notwithstanding any other provision of law to the contrary,
60 local governing authorities may not impose or enforce any
61 vehicular stacking ordinance or regulation against any public
62 school or private school during adopted school hours, including
63 during student drop-off and pick-up hours, if such ordinance or
64 regulation would limit enrollment.

65 **Section 4. Paragraph (a) of subsection (18) of section**
66 **1002.33, Florida Statutes, is amended to read:**

67 1002.33 Charter schools.—

68 (18) FACILITIES.—

69 (a) A startup charter school shall utilize facilities
70 which comply with the Florida Building Code pursuant to chapter
71 553 except for the State Requirements for Educational
72 Facilities. Conversion charter schools shall utilize facilities
73 that comply with the State Requirements for Educational
74 Facilities provided that the school district and the charter
75 school have entered into a mutual management plan for the

76 reasonable maintenance of such facilities. The mutual management
77 plan shall contain a provision by which the district school
78 board agrees to maintain charter school facilities in the same
79 manner as its other public schools within the district. Charter
80 schools, with the exception of conversion charter schools, are
81 not required to comply, but may choose to comply, with the State
82 Requirements for Educational Facilities of the Florida Building
83 Code adopted pursuant to s. 1013.37. The local governing
84 authority shall not adopt, ~~or~~ impose, or enforce any local
85 building requirements or site-development restrictions that
86 impact, such as parking and site-size criteria, student
87 enrollment and capacity, and occupant load, and that are
88 addressed by and more stringent than those found in the State
89 Requirements for Educational Facilities of the Florida Building
90 Code and the Florida Fire Prevention Code. A local governing
91 authority may not require a proposed charter school to obtain a
92 special exemption or conditional use approval in order for the
93 charter school to be an allowable use under the local governing
94 authority's land development code. A local governing authority
95 must treat charter schools equitably in comparison to similar
96 requirements, restrictions, and site planning processes imposed
97 upon public schools that are not charter schools, including such
98 provisions that are established by interlocal agreement. An
99 interlocal agreement entered into by a school district for the
100 development of only its own schools, including provisions

101 relating to the extension of infrastructure, may be used by
102 charter schools. A charter school may not be subject to any land
103 use regulation requiring a change to a local government
104 comprehensive plan or requiring a development order or
105 development permit, as those terms are defined in s. 163.3164,
106 that would not be required for a public school in the same
107 location. The agency having jurisdiction for inspection of a
108 facility and issuance of a certificate of occupancy or use shall
109 be the local municipality or, if in an unincorporated area, the
110 county governing authority. If an official or employee of the
111 local governing authority refuses to comply with this paragraph,
112 the aggrieved school or entity has an immediate right to bring
113 an action in circuit court to enforce its rights by injunction.
114 An aggrieved party that receives injunctive relief may be
115 awarded attorney fees and court costs.

116 **Section 5.** This act shall take effect July 1, 2025.