

1 A bill to be entitled
 2 An act relating to conversion charter schools;
 3 amending s. 1002.33, F.S.; providing that specified
 4 mediation requirements apply to disputes between a
 5 district school board and conversion charter school
 6 regarding mutual management plans; amending s.
 7 1013.62, F.S.; authorizing conversion charter schools
 8 that meet specified criteria to be eligible for
 9 capital outlay funding; providing an effective date.

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

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 13 **Section 1. Paragraph (a) of subsection (18) of section**
 14 **1002.33, Florida Statutes, is amended to read:**

15 1002.33 Charter schools.—

16 (18) FACILITIES.—

17 (a)1. A startup charter school shall utilize facilities
 18 which comply with the Florida Building Code pursuant to chapter
 19 553 except for the State Requirements for Educational
 20 Facilities. Conversion charter schools shall utilize facilities
 21 that comply with the State Requirements for Educational
 22 Facilities provided that the school district and the charter
 23 school have entered into a mutual management plan for the
 24 reasonable maintenance of such facilities. The mutual management
 25 plan shall contain a provision by which the district school

26 board agrees to maintain charter school facilities in the same
27 manner as its other public schools within the district. Any
28 dispute regarding the mutual management plan shall be resolved
29 pursuant to paragraph (7) (b). Charter schools, with the
30 exception of conversion charter schools, are not required to
31 comply, but may choose to comply, with the State Requirements
32 for Educational Facilities of the Florida Building Code adopted
33 pursuant to s. 1013.37.

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

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

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

45 3. A local governing authority must treat charter schools
46 equitably in comparison to similar requirements, restrictions,
47 and site planning processes imposed upon public schools that are
48 not charter schools, including such provisions that are
49 established by interlocal agreement, development order, or
50 development permit. An interlocal agreement entered into by a

51 school district for the development of only its own schools,
52 including provisions relating to the extension of
53 infrastructure, may be used by charter schools. A charter school
54 may not be subject to any land use regulation requiring a change
55 to a local government comprehensive plan or requiring a
56 development order or development permit, as those terms are
57 defined in s. 163.3164, or any requirement or restriction that
58 would not be required for a public or private school in the same
59 location or a location on which a public or private school has
60 previously been permitted. A local governing authority may not
61 apply or enforce a condition against a charter school unless the
62 condition is uniformly applied to other public schools within
63 the jurisdiction of the local governing authority and the
64 charter school is located on property that is the subject of a
65 previously approved development order or development permit, and
66 if such development order or development permit contains
67 conditions applicable to the construction or operation of a
68 public or private school, including, but not limited to:

- 69 a. Limits on the number of students;
- 70 b. Limits on the number of teachers;
- 71 c. Limits on the number of classrooms;
- 72 d. Limits on the hours of operation;
- 73 e. Minimum outdoor recreation area; or
- 74 f. Requirements to conform to a prior plan of development.

75 4. The agency having jurisdiction for inspection of a

76 facility and issuance of a certificate of occupancy or use shall
77 be the local municipality or, if in an unincorporated area, the
78 county governing authority. A charter school that meets the
79 requirements of state law consistent with the requirements of
80 this subsection shall be administratively approved by the local
81 governing authority. If a local governing authority refuses to
82 comply with this subsection, the aggrieved school or entity has
83 an immediate right to bring an action in circuit court to
84 enforce its rights. An aggrieved party that prevails in such an
85 action may be awarded attorney fees and court costs.

86 **Section 2. Subsection (1) of section 1013.62, Florida**
87 **Statutes, is amended to read:**

88 1013.62 Charter schools capital outlay funding.—

89 (1) Charter school capital outlay funding shall consist of
90 state funds when such funds are appropriated in the General
91 Appropriations Act and revenue resulting from the discretionary
92 millage authorized in s. 1011.71(2).

93 (a) To be eligible to receive capital outlay funds, a
94 charter school must:

95 1.a. Have been in operation for 2 or more years;

96 b. Be governed by a governing board established in the
97 state for 2 or more years which operates both charter schools
98 and conversion charter schools within the state;

99 c. Be an expanded feeder chain of a charter school within
100 the same school district that is currently receiving charter

101 school capital outlay funds;

102 d. Have been accredited by a regional accrediting

103 association as defined by State Board of Education rule;

104 e. Serve students in facilities that are provided by a

105 business partner for a charter school-in-the-workplace pursuant

106 to s. 1002.33(15) (b); or

107 f. Be operated by a hope operator pursuant to s. 1002.333.

108 2. Have an annual audit that does not reveal any of the

109 financial emergency conditions provided in s. 218.503(1) for the

110 most recent fiscal year for which such audit results are

111 available.

112 3. Have not earned two consecutive grades of "F," three

113 consecutive grades below a "C," or two consecutive school

114 improvement ratings of "Unsatisfactory."

115 4. Have received final approval from its sponsor pursuant

116 to s. 1002.33 for operation during that fiscal year.

117 5.a. Serve students in facilities that are not provided by

118 the charter school's sponsor; or

119 b. Serve students in facilities that are provided by the

120 charter school's sponsor if the charter school is a conversion

121 charter school that:

122 (I) Has entered into a mutual management plan under which

123 the conversion charter school is fully responsible for the

124 repair and maintenance of the facility for the duration of the

125 charter; and

126 (II) Agrees to use the funds provided pursuant to this
127 section solely for the renovation, repair, and maintenance of
128 such facility.

129 6. Attest in writing to the department that if the charter
130 school is nonrenewed or terminated, any unencumbered funds and
131 all equipment and property purchased with public funds shall
132 revert pursuant to subsection (5).

133 (b) A charter school is not eligible to receive capital
134 outlay funds if:

135 1. It was created by the conversion of a public school and
136 operates in facilities provided by the charter school's sponsor
137 for a nominal fee, or at no charge, or if it is directly or
138 indirectly operated by the school district, unless the
139 conversion charter school meets the requirements of sub-sub-
140 subparagraphs (a)5.b.(I) and (II);

141 2. It is a developmental research (laboratory) school that
142 receives state funding for capital improvement purposes pursuant
143 to s. 1002.32(9)(d);

144 3. A member of the governing board, or his or her family
145 member as defined in s. 440.13(1)(b), has an interest in or is
146 an employee of the lessor, excluding charter schools operating
147 pursuant to s. 1002.33(15); or

148 4. It is a Florida College System institution or state
149 university sponsored charter school that receives state funding
150 for capital improvement purposes pursuant to s.

151 | 1002.33 (17) (b) 2.d.

152 | **Section 3.** This act shall take effect July 1, 2026.