

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education Pre-K -12

BILL: SB 824

INTRODUCER: Senator Truenow

SUBJECT: Charter Schools

DATE: February 2, 2026

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Palazes	Bouck	ED	Pre-meeting
2. _____	_____	CA	_____
3. _____	_____	RC	_____

I. Summary:

SB 824 requires a school district to offer certain district-owned “vacant land” to eligible charter school operators within the district. The bill defines the vacant land subject to the requirements of the bill, specifies which charter school operators are eligible to purchase the vacant land, and establishes deadlines for the district to make the offer and for charter school operators to submit proposals to construct a charter school facility on the property.

The bill takes effect July 1, 2026.

II. Present Situation:

Florida’s Charter Schools

Charter schools are tuition-free public schools created through an agreement or “charter” that provides flexibility relative to regulations created for traditional public schools. For the 2025-2026 school year, 408,481 students are enrolled in 739 charter schools authorized by 48 charter school sponsors across Florida.¹

Charter schools are open to all students residing within the district; however, charter schools are allowed to target students within specific age groups or grade levels, students considered at-risk of dropping out or failing, students wishing to enroll in a charter school-in-the-workplace or charter school-in-a-municipality, students residing within a reasonable distance of the school, students who meet reasonable academic, artistic or other eligibility standards established by the charter school, or students articulating from one charter school to another.²

¹ Email, Florida Department of Education, Governmental Relations (Jan. 30, 2026).

² Florida Department of Education, *Frequently Asked Questions (Charter Schools)*, <https://www.fldoe.org/schools/school-choice/charter-schools/charter-school-faqs.stml> (last visited Jan. 29, 2026). See also s. 1002.33(10), F.S.

Charter schools are created when an individual, a group of parents or teachers, a business, a municipality, or a legal entity applies to the sponsoring entity (a school district, a state university or Florida College System institution); the sponsoring entity approves the application; the applicants form a governing board that negotiates a contract with the sponsoring entity; and the applicants and sponsor agree upon a charter or contract. The negotiated contract outlines the expectations of both parties regarding the school's academic and financial performance.³

A charter school must be organized as, or be operated by, a nonprofit organization. The charter school may serve at-risk students, or offer a specialized curriculum or core academic program, provide early intervention programs, or serve exceptional education students.⁴

Charter School Facilities

Charter schools, with the exception of conversion charter schools,⁵ are not required to comply, but may choose to comply, with the State Requirements for Educational Facilities of the Florida Building Code.⁶ 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.⁷

A charter school may not be subject to any land use regulation requiring a change to a local government comprehensive plan, a land-use permit, or any requirement or restriction that would not be required for a public or private school in the same or previously approved location. A local government may not apply or enforce a condition against a charter school unless the condition is uniformly applied to other local public schools and the charter school is located on property that is the subject of a previously approved development order or development permit, which include, but are not limited to:⁸

- Limits on the number of students;
- Limits on the number of teachers;
- Limits on the number of classrooms;
- Limits on the hours of operation;
- Minimum outdoor recreation area; or
- Requirements to conform to a prior plan of development.

³ Section 1002.33(6), F.S.

⁴ *Id.*

⁵ Section 1002.33(3), F.S. A conversion charter school is established when an existing public school that has been in operation for at least two years converts to a charter school.

⁶ 1002.33(18)(a), F.S. The State Requirements for Educational Facilities of the Florida Building Code is a uniform code for the planning and construction of public educational and ancillary plants by district school boards and Florida College System institution district boards of trustees shall be adopted by the Florida Building Commission within the Florida Building Code. *See also* s. 1013.37, F.S.

⁷ 1002.33(18)(a)3., F.S.,

⁸ *Id.*

School District Disposal of Property

A district school board may dispose of any land or real property to which the board holds title which is, by resolution of the board, determined to be unnecessary for educational purposes as recommended in an educational plant survey. A district school board must take diligent measures to dispose of educational property only in the best interests of the public.⁹ If a district school board facility or property is available because it is surplus, marked for disposal, or otherwise unused, it must be provided for a charter school's use on the same basis as it is made available to other public schools in the district. The charter school receiving property from the sponsor is prohibited from selling or disposing of such property without written permission of the sponsor. Similarly, for an existing public school converting to charter status, a district school board may not charge rental or leasing fees for the existing facility or for the property normally inventoried to the conversion school to the parents, principal, school advisory council, or teachers organizing the charter school.¹⁰

III. Effect of Proposed Changes:

The bill amends s. 1002.33, F.S., to require school districts to offer vacant land that meets specified criteria to charter school operators within the school district. The bill provides the following definitions:

- “Charter school operator” means an organization holding a charter contract with an approved authorizer and charter school management organizations that are accredited by a regional accreditation agency, including Cognia, the North Central Association Commission on Accreditation and School Improvement, the Northwest Accreditation Commission, and the Southern Association of Colleges and Schools Council on Accreditation and School Improvement.
- “Vacant land” means a parcel of real property upon which no buildings, structures, or other permanent improvements have been constructed or installed which is owned by a district school board for three or more years in a district that has experienced a decrease in student enrollment, year over year, for three or more consecutive years, excluding student enrollment of charter schools within the district.

The bill requires that vacant land must first be offered by the district school board to all charter school operators within the school district. A school district that owns vacant land must have an agreement to construct a school on such land with a developer or contractor by July 1, 2027. If such an agreement is not in place by July 1, 2027, the school district has 60 days to offer the vacant land to all charter school operators within the school district.

The bill also requires that charter school operators have 120 days after receiving notice of an offer from the school district to submit a proposal for constructing a charter school on the vacant land. A school district has 60 days after receiving such proposals to award the vacant land by sending a written notice to the charter school operator determined by the school district to have made the most advantageous proposal.

⁹ Section 1013.28(1)(a), F.S.

¹⁰ Section 1002.33(18)(e), F.S.

The bill takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1002.33 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
