

1 A bill to be entitled
 2 An act relating to private school facilities; amending
 3 s. 1002.42, F.S.; providing that certain private
 4 schools are considered a permitted use in certain
 5 zoning districts; authorizing certain private schools
 6 to operate in facilities that meet specified
 7 requirements; requiring certain private schools
 8 operating in such facilities to meet specified Florida
 9 Fire Prevention Code standards; providing that
 10 completion of a specified evaluation system with
 11 certain ratings by specified persons constitutes
 12 evidence of compliance with the Florida Fire
 13 Prevention Code for such private schools; authorizing
 14 the State Fire Marshal to adopt rules; providing an
 15 effective date.

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

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 19 **Section 1. Subsection (19) of section 1002.42, Florida**
 20 **Statutes, is amended to read:**

21 1002.42 Private schools.—

22 (19) FACILITIES AND LAND USE.—

23 (a) A private school may use facilities on property owned
 24 or leased by a library, community service organization, museum,
 25 performing arts venue, theater, cinema, or church facility under

26 | s. 170.201, which is or was actively used as such within 5 years
27 | of any executed agreement with a private school to use the
28 | facilities; any facility or land owned by a Florida College
29 | System institution or university; any similar public
30 | institutional facilities; and any facility recently used to
31 | house a school or child care facility licensed under s. 402.305,
32 | under any such facility's preexisting zoning and land use
33 | designations without rezoning or obtaining a special exception
34 | or a land use change, and without complying with any mitigation
35 | requirements or conditions. The facility must be located on
36 | property used solely for purposes described in this paragraph,
37 | and must meet applicable state and local health, safety, and
38 | welfare laws, codes, and rules, including firesafety and
39 | building safety.

40 | (b) A private school may use facilities on property
41 | purchased from a library, community service organization,
42 | museum, performing arts venue, theater, cinema, or church
43 | facility under s. 170.201, which is actively or was actively
44 | used as such within 5 years of any executed agreement with a
45 | private school to purchase the facilities; any facility or land
46 | owned by a Florida College System institution or university; any
47 | similar public institutional facilities; and any facility
48 | recently used to house a school or child care facility licensed
49 | under s. 402.305, under any such facility's preexisting zoning
50 | and land use designations without obtaining a special exception,

51 rezoning, or a land use change, and without complying with any
52 mitigation requirements or conditions. The facility must be
53 located on property used solely for purposes described in this
54 paragraph, and must meet applicable state and local health,
55 safety, and welfare laws, codes, and rules, including firesafety
56 and building safety.

57 (c) A private school located in a county with four
58 incorporated municipalities may construct new facilities, which
59 may be temporary or permanent, on property purchased from or
60 owned or leased by a library, community service organization,
61 museum, performing arts venue, theater, cinema, or church under
62 s. 170.201, which is or was actively used as such within 5 years
63 of any executed agreement with a private school; any land owned
64 by a Florida College System institution or state university; and
65 any land recently used to house a school or child care facility
66 licensed under s. 402.305, under its preexisting zoning and land
67 use designations without rezoning or obtaining a special
68 exception or a land use change, and without complying with any
69 mitigation requirements or conditions. Any new facility must be
70 located on property used solely for purposes described in this
71 paragraph, and must meet applicable state and local health,
72 safety, and welfare laws, codes, and rules, including firesafety
73 and building safety.

74 (d) A private school enrolling 150 or fewer students shall
75 be considered a permitted use in a commercial or mixed-use

76 zoning district within a county or municipality without rezoning
77 or obtaining a special exception or a land use change, and
78 without complying with any mitigation requirements, conditions,
79 performance standards, ordinances, rules, codes, or policies.

80 (e) Notwithstanding any other provision of law, a private
81 school enrolling 150 or fewer students may operate in a facility
82 that is an existing assembly, day care, mercantile, or business
83 occupancy, as defined in the Florida Fire Prevention Code. A
84 private school operating in such a facility must meet the
85 standards for existing educational occupancy requirements under
86 the Florida Fire Prevention Code, adopted by the State Fire
87 Marshal. Completion of the fire safety evaluation system for
88 educational occupancies in NFPA 101A: Guide on Alternative
89 Approaches to Life Safety, adopted by the State Fire Marshal, by
90 a registered design professional licensed under chapter 471 or
91 chapter 481, with a determination of achieving at a minimum an
92 "at least equivalent" conclusion, shall be considered evidence
93 of compliance with the Florida Fire Prevention Code. The State
94 Fire Marshal may adopt rules to implement this paragraph.

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