

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Trabulsy offered the following:

2
3 **Amendment (with directory and title amendments)**

4 Between lines 472 and 473, insert:

5 (19) FACILITIES AND LAND USE.—

6 (a) A private school may use facilities on property owned
7 or leased by a library, community service organization, museum,
8 performing arts venue, theater, cinema, or church facility under
9 s. 170.201, which is or was actively used as such within 5 years
10 of any executed agreement with a private school to use the
11 facilities; any facility or land owned by a Florida College
12 System institution or university; any similar public
13 institutional facilities; and any facility recently used to

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14 house a school or child care facility licensed under s. 402.305,
15 under any such facility's preexisting zoning and land use
16 designations without rezoning or obtaining a special exception
17 or a land use change, and without complying with any mitigation
18 requirements or conditions. The facility must be located on
19 property used solely for purposes described in this paragraph,
20 and must meet applicable state and local health, safety, and
21 welfare laws, codes, and rules, including firesafety and
22 building safety.

23 (b) A private school may use facilities on property
24 purchased from a library, community service organization,
25 museum, performing arts venue, theater, cinema, or church
26 facility under s. 170.201, which is actively or was actively
27 used as such within 5 years of any executed agreement with a
28 private school to purchase the facilities; any facility or land
29 owned by a Florida College System institution or university; any
30 similar public institutional facilities; and any facility
31 recently used to house a school or child care facility licensed
32 under s. 402.305, under any such facility's preexisting zoning
33 and land use designations without obtaining a special exception,
34 rezoning, or a land use change, and without complying with any
35 mitigation requirements or conditions. The facility must be
36 located on property used solely for purposes described in this
37 paragraph, and must meet applicable state and local health,

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38 safety, and welfare laws, codes, and rules, including firesafety
39 and building safety.

40 (c) A private school located in a county with four
41 incorporated municipalities may construct new facilities, which
42 may be temporary or permanent, on property purchased from or
43 owned or leased by a library, community service organization,
44 museum, performing arts venue, theater, cinema, or church under
45 s. 170.201, which is or was actively used as such within 5 years
46 of any executed agreement with a private school; any land owned
47 by a Florida College System institution or state university; and
48 any land recently used to house a school or child care facility
49 licensed under s. 402.305, under its preexisting zoning and land
50 use designations without rezoning or obtaining a special
51 exception or a land use change, and without complying with any
52 mitigation requirements or conditions. Any new 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 (d) A private school enrolling 150 or fewer students shall
58 be considered a permitted use in a commercial or mixed-use
59 zoning district within a county or municipality without rezoning
60 or obtaining a special exception or a land use change, and
61 without complying with any mitigation requirements, conditions,
62 performance standards, ordinances, rules, codes, or policies.

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63 (e) Notwithstanding any other provision of law, a private
 64 school enrolling 150 or fewer students may operate in a facility
 65 that is an existing assembly, day care, mercantile, or business
 66 occupancy, as defined in the Florida Fire Prevention Code. A
 67 private school operating in such a facility must meet the
 68 standards for existing educational occupancy requirements under
 69 the Florida Fire Prevention Code, adopted by the State Fire
 70 Marshal. Completion of the fire safety evaluation system for
 71 educational occupancies in NFPA 101A: Guide on Alternative
 72 Approaches to Life Safety, adopted by the State Fire Marshal, by
 73 a registered design professional licensed under chapter 471 or
 74 chapter 481, with a determination of achieving at a minimum an
 75 "at least equivalent" conclusion, shall be considered evidence
 76 of compliance with the Florida Fire Prevention Code. The State
 77 Fire Marshal may adopt rules to implement this paragraph.

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80 **D I R E C T O R Y A M E N D M E N T**

81 Remove lines 432-433 and insert:

82 **Section 7. Subsections (17) and (19) of section 1002.42,**
 83 **Florida Statutes, are amended to read:**

84 -----

85 **T I T L E A M E N D M E N T**

86 Remove line 29 and insert:

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88 approved devices; providing that certain private
89 schools are considered a permitted use in certain
90 zoning districts; authorizing certain private schools
91 to operate in facilities that meet specified
92 requirements; requiring certain private schools
93 operating in such facilities to meet specified Florida
94 Fire Prevention Code standards; providing that
95 completion of a specified evaluation system with
96 certain ratings by specified persons constitutes
97 evidence of compliance with the Florida Fire
98 Prevention Code for such private schools; authorizing
99 the State Fire Marshal to adopt rules; amending s.
100 1002.421, F.S.; revising

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