



668898

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
02/25/2026	.	
	.	
	.	
	.	

The Committee on Rules (Gaetz) recommended the following:

1 **Senate Amendment to Amendment (103578) (with title**
2 **amendment)**

3
4 Before line 5
5 insert:

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

8 1002.42 Private schools.—

9 (19) FACILITIES AND LAND USE.—

10 (a) A private school may use facilities on property owned
11 or leased by a library, community service organization, museum,



668898

12 performing arts venue, theater, cinema, or church facility under
13 s. 170.201, which is or was actively used as such within 5 years
14 of any executed agreement with a private school to use the
15 facilities; any facility or land owned by a Florida College
16 System institution or university; any similar public
17 institutional facilities; and any facility recently used to
18 house a school or child care facility licensed under s. 402.305,
19 under any such facility's preexisting zoning and land use
20 designations without rezoning or obtaining a special exception
21 or a land use change, and without complying with any mitigation
22 requirements or conditions. The facility must be located on
23 property used solely for purposes described in this paragraph,
24 and must meet applicable state and local health, safety, and
25 welfare laws, codes, and rules, including firesafety and
26 building safety.

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



668898

41 paragraph, and must meet applicable state and local health,
42 safety, and welfare laws, codes, and rules, including firesafety
43 and building safety.

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

61 (d) A private school enrolling 150 or fewer students shall
62 be considered a permitted use in a commercial or mixed-use
63 zoning district within a county or municipality without rezoning
64 or obtaining a special exception or a land use change, and
65 without complying with any mitigation requirement, condition,
66 performance standard, ordinance, rule, code, or policy.

67 (e) Notwithstanding any other provision of law, a private
68 school enrolling 150 or fewer students may operate in a facility
69 that is an existing assembly, day care, mercantile, or business



668898

70 occupancy, as defined in the Florida Fire Prevention Code. A
71 private school operating in such a facility must meet the
72 standards for existing educational occupancy requirements under
73 the Florida Fire Prevention Code, adopted by the State Fire
74 Marshal. Completion of the fire safety evaluation system for
75 educational occupancies in NFPA 101A: Guide on Alternative
76 Approaches to Life Safety, adopted by the State Fire Marshal, by
77 a registered design professional licensed under chapter 471 or
78 chapter 481, with a determination of achieving at a minimum an
79 "at least equivalent" conclusion, is considered evidence of
80 compliance with the Florida Fire Prevention Code. The State Fire
81 Marshal may adopt rules to implement this paragraph.

82
83 ===== T I T L E A M E N D M E N T =====

84 And the title is amended as follows:

85 Delete line 24

86 and insert:

87 An act relating to land use regulations; amending s.
88 1002.42, F.S.; providing that certain private schools
89 are considered a permitted use in certain zoning
90 districts; authorizing certain private schools to
91 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



668898

99

the State Fire Marshal to adopt rules; defining the