

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 Community Affairs

BILL: SB 1020

INTRODUCER: Senator Truenow

SUBJECT: Regulation of Chickees

DATE: January 26, 2026 REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Tolmich	Fleming	CA	Favorable
2.		RI	
3.		RC	

I. Summary:

SB 1020 pertains to the regulation of the construction of “chickees.” A “chickee” is an open-sided wooden structure with a thatched roof traditionally constructed by members of the Miccosukee Tribe of Indians or the Seminole Tribe of Florida. Under current law, chickees are generally exempt from the Florida Building Code if they do not include electrical, plumbing, or other nonwood features.

The bill prohibits counties and municipalities from enacting an ordinance, regulation, or policy that prevents a member of the Miccosukee Tribe of Indians or Seminole Tribe of Florida from constructing a chickee if it is located:

- In a side yard and at least 10 feet away from the property line.
- Near another structure if it is at least 10 feet away from any other structure.

The bill also prohibits counties and municipalities from enacting an ordinance, regulation, or policy concerning chickees that is more restrictive than federal floodplain management regulations.

The bill revises the current definition of “chickee” in the Florida Building Code to provide that it may include a wooden deck and may incorporate nonwood fasteners.

The bill further provides that a person who is not a member of the tribe and who constructs a chickee in an attempt to circumvent the Florida Building Code commits a first-degree misdemeanor.

The bill also exempts a chickee from the Florida Fire Prevention Code if it is at least 20 feet from any other structure subject to the Florida Building Code or that otherwise includes fireproofing measures approved by a certified fire protection system contractor.

The bill takes effect July 1, 2026.

II. Present Situation:

Indian Tribes in Florida

Two tribes, the Seminole Tribe of Florida and the Miccosukee Tribe of Indians of Florida, currently reside and have tribal lands in the state. Most state law governing the relationship between the state and the federally-recognized tribes with tribal lands in the state is contained in ch. 285, F.S.

Chickees

“Chickee” is a Seminole word meaning “house.”¹ Chickees are palmetto thatch over cypress log frame.²

Section 553.73(10)(i), F.S., provides that chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida are exempt from the Florida Building Code. The Florida Building Code defines “chickee” as an open-sided wooden hut that has a thatched roof of palm, palmetto, or other traditional materials that does not incorporate any electrical, plumbing, or other nonwood features.³



(Image retrieved from *Division of Library and Information Services, Florida Department of State*.)

The Florida Building Code

In 1974, Florida adopted legislation requiring all local governments to adopt and enforce a minimum building code that would ensure that Florida’s minimum standards were met. Local governments could choose from four separate model codes. The state’s role was limited to

¹ Seminole Tribe of Florida, *Chickee*, available at: <https://www.semtribe.com/culture/chickee> (last visited Jan. 26, 2026).

² *Id.*

³ Section 553.73(10)(i), F.S.

adopting all or relevant parts of new editions of the four model codes. Local governments could amend and enforce their local codes, as they desired.⁴

In 1992, Hurricane Andrew demonstrated that Florida's system of local codes did not work. Hurricane Andrew easily destroyed those structures that were allegedly built according to the strongest code. The Governor eventually appointed a study commission to review the system of local codes and make recommendations for modernizing the system. The 1998 Legislature adopted the study's commission recommendations for a single state building code and enhanced the oversight role of the state over local code enforcement. The 2000 Legislature authorized implementation of the Florida Building Code (Building Code), and that first edition replaced all local codes on March 1, 2002.⁵ The current edition of the Building Code is the eighth edition, which is referred to as the 2023 Florida Building Code.⁶

Chapter 553, part IV, F.S., is known as the "Florida Building Codes Act" (Act). The purpose and intent of the Act is to provide a mechanism for the uniform adoption, updating, interpretation, and enforcement of a single, unified state building code. The Building Code must be applied, administered, and enforced uniformly and consistently from jurisdiction to jurisdiction.⁷

Enforcement of the Florida Building Code: Permits

It is the intent of the Legislature that local governments have the power to inspect all buildings, structures, and facilities within their jurisdictions in protection of the public's health, safety, and welfare.⁸ Authorized state and local government agencies enforce the Florida Building Code and issue building permits.⁹

A building permit is an official document or certificate issued by the local building official that authorizes performance of a specific activity. It is unlawful for a person, firm, or corporation to construct, erect, alter, repair, secure, or demolish any building without first obtaining a permit from the local enforcing agency upon the payment of reasonable fees as set forth in a schedule of fees adopted by the enforcing agency.¹⁰ A local building department or enforcement agency must post each type of building permit application on its website.¹¹ Each application must be inscribed with the date of application and the Florida Building Code in effect as of that date.¹²

Florida Fire Prevention Code

The State Fire Marshal, by rule, adopts the Florida Fire Prevention Code (Florida Fire Code), which contains all firesafety laws and rules that pertain to the design, construction, erection, alteration, modification, repair, and demolition of public and private buildings, structures, and

⁴ The Florida Building Commission Report to the 2006 Legislature, *Florida Department of Community Affairs*, p. 4, http://www.floridabuilding.org/fbc/publications/2006_Legislature_Rpt_rev2.pdf (last visited Jan. 26, 2026).

⁵ *Id.*

⁶ Florida Building Commission Homepage, <https://floridabuilding.org/c/default.aspx> (last visited Jan. 26, 2026).

⁷ Section 553.72(1), F.S.

⁸ Section 553.72(2), F.S.

⁹ See ss. 125.01(1)(bb), 125.56(1), 553.72(3), and 553.80(1) F.S.

¹⁰ See ss. 125.56(4)(a) and 553.79(1), F.S. Other entities may, by resolution or regulation, be directed to issue permits.

¹¹ Section 553.79(1)(b), F.S.

¹² Section 105.3, 2023 Florida Building Code.

facilities, and the enforcement of such firesafety laws and rules.¹³ The State Fire Marshal adopts a new edition of the Florida Fire Code every three years.¹⁴ The Florida Fire Code is largely based on the *National Fire Protection Association's (NFPA) Standard 1, Fire Prevention Code*, along with the current edition of the *Life Safety Code, NFPA 101*.¹⁵ The 8th edition took effect on December 31, 2023.¹⁶

State law requires all municipalities, counties, and special districts with firesafety responsibilities to enforce the Florida Fire Code as the minimum fire prevention code to operate uniformly among local governments and in conjunction with the Florida Building Code.¹⁷ The Florida Fire Code applies to every building and structure throughout the state with few exceptions.¹⁸

Municipalities, counties, and special districts with firesafety responsibilities may supplement the Florida Fire Code with more stringent standards adopted in accordance with s. 633.208, F.S.¹⁹

III. Effect of Proposed Changes:

SB 1020 prohibits counties and municipalities from enacting an ordinance, regulation, or policy that prevents a member of the Miccosukee Tribe of Indians or Seminole Tribe of Florida from constructing a chickee if it is located:

- In a side yard and at least 10 feet away from the property line.
- Near another structure if it is at least 10 feet away from any other structure.

The bill also prohibits counties and municipalities from enacting an ordinance, regulation, or policy concerning chickees that is more restrictive than federal floodplain management regulations.²⁰

The bill revises the current definition of “chickee” in the Florida Building Code to provide that it may include a wooden deck and may incorporate nonwood fasteners. Nonwood fasteners may include, but are not limited to, nails, screws, bolts, nuts, washers, staples, and hurricane straps. The bill provides that the later incorporation of any electrical, plumbing, or other nonwood feature into an existing chickee requires a permit, but may not affect the exempt status of or require a permit for the chickee.

The bill further provides that a person who is not a member of the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida and who constructs a chickee in an attempt to circumvent the Florida Building Code commits a first-degree misdemeanor.²¹

¹³ Fla. Admin. Code R. 69A-60.002.

¹⁴ Section 633.202(1), F.S.

¹⁵ Section 633.202(2), F.S.

¹⁶ Division of State Fire Marshal, *Florida Fire Prevention Code*, available at <https://myfloridacfo.com/division/sfm/bfp/florida-fire-prevention-code> (last visited Jan. 26, 2026).

¹⁷ Sections 633.108 and 633.208, F.S.

¹⁸ Section 633.208, F.S., and Fla. Admin. Code R. 69A-60.002(1).

¹⁹ Section 633.208(3), F.S., and Fla. Admin. Code R. 69A-60.002(2).

²⁰ See 44 CFR Part 60 for federal floodplain management regulations, available at: <https://www.ecfr.gov/current/title-44/chapter-I/subchapter-B/part-60> (last visited Jan. 26, 2026).

²¹ A first-degree misdemeanor is punishable by a term of imprisonment not exceeding 1 year and a fine of up to \$1,000. Sections 775.082 and 775.083, F.S.

The bill also exempts a chickee from the Florida Fire Prevention Code if it is at least 20 feet from any other structure subject to the Florida Building Code or that otherwise includes fireproofing measures approved by a certified fire protection system contractor.

The bill takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The bill does not appear to require cities and counties to expend funds or limit their authority to raise revenue or receive state-shared revenues as specified by Article VII, s. 18, of the State Constitution.

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 the following sections of the Florida Statutes: 553.73, 633.202

This bill creates the following sections of the Florida Statutes: 125.573, 166.0487

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.
