

1 A bill to be entitled
2 An act relating to local government regulation of
3 chickees; creating ss. 125.489 and 166.04845, F.S.;
4 prohibiting counties and municipalities, respectively,
5 from enacting an ordinance, regulation, or policy that
6 prevents a chickee from being constructed by certain
7 persons in specified locations; prohibiting counties
8 and municipalities from enacting an ordinance,
9 regulation, or policy concerning chickees that is more
10 restrictive than certain federal regulations; amending
11 s. 553.73, F.S.; revising the definition of the term
12 "chickee"; providing a penalty for certain persons who
13 construct chickees in an attempt to assert an
14 exemption from the Florida Building Code; amending s.
15 633.202, F.S.; defining the term "chickee"; exempting
16 certain chickees from the Florida Fire Prevention
17 Code; providing an effective date.

18
19 Be It Enacted by the Legislature of the State of Florida:

20
21 **Section 1. Section 125.489, Florida Statutes, is created**
22 **to read:**

23 125.489 Ordinances, regulations, and policies concerning
24 chickees.—

25 (1) A county may not enact an ordinance, regulation, or

26 policy that prevents or has the effect of preventing a person
27 who is a member of the Miccosukee Tribe of Indians of Florida or
28 the Seminole Tribe of Florida from constructing a chickee, as
29 defined in s. 553.73(10)(i):

30 (a) In a side yard if the chickee is at least 10 feet from
31 the property line.

32 (b) Near another structure if the chickee is at least 10
33 feet from any other structure.

34 (2) A county may not enact an ordinance, regulation, or
35 policy concerning chickees that is more restrictive than federal
36 floodplain management regulations.

37 **Section 2. Section 166.04845, Florida Statutes, is created**
38 **to read:**

39 166.04845 Ordinances, regulations, and policies concerning
40 chickees.—

41 (1) A municipality may not enact an ordinance, regulation,
42 or policy that prevents or has the effect of preventing a person
43 who is a member of the Miccosukee Tribe of Indians of Florida or
44 the Seminole Tribe of Florida from constructing a chickee, as
45 defined in s. 553.73(10)(i):

46 (a) In a side yard if the chickee is at least 10 feet from
47 the property line.

48 (b) Near another structure if the chickee is at least 10
49 feet from any other structure.

50 (2) A municipality may not enact an ordinance, regulation,

51 or policy concerning chickees that is more restrictive than
52 federal floodplain management regulations.

53 **Section 3. Paragraph (i) of subsection (10) of section**
54 **553.73, Florida Statutes, is amended to read:**

55 553.73 Florida Building Code.—

56 (10) The following buildings, structures, and facilities
57 are exempt from the Florida Building Code as provided by law,
58 and any further exemptions shall be as determined by the
59 Legislature and provided by law:

60 (i) Chickees constructed by the Miccosukee Tribe of
61 Indians of Florida or the Seminole Tribe of Florida. As used in
62 this paragraph, the term "chickee" means an open-sided wooden
63 hut that has a thatched roof of palm, ~~or~~ palmetto, or other
64 traditional materials; that may have a wooden deck; and that
65 does not incorporate any electrical, plumbing, or other nonwood
66 features, except that a chickee may:

67 1. Incorporate nonwood fasteners, including, but not
68 limited to, nails, screws, bolts, nuts, washers, staples, and
69 hurricane straps.

70 2. Incorporate electrical or plumbing features in
71 accordance with a building permit for the incorporation of such
72 features.

73
74 A person who is not a member of the Miccosukee Tribe of Indians
75 of Florida or the Seminole Tribe of Florida and who constructs a

76 chickee in an attempt to assert an exemption from the Florida
77 Building Code commits a misdemeanor of the first degree,
78 punishable as provided in s. 775.082 or s. 775.083.
79

80 With the exception of paragraphs (a), (b), (c), and (f), in
81 order to preserve the health, safety, and welfare of the public,
82 the Florida Building Commission may, by rule adopted pursuant to
83 chapter 120, provide for exceptions to the broad categories of
84 buildings exempted in this section, including exceptions for
85 application of specific sections of the code or standards
86 adopted therein. The Department of Agriculture and Consumer
87 Services shall have exclusive authority to adopt by rule,
88 pursuant to chapter 120, exceptions to nonresidential farm
89 buildings exempted in paragraph (c) when reasonably necessary to
90 preserve public health, safety, and welfare. The exceptions must
91 be based upon specific criteria, such as under-roof floor area,
92 aggregate electrical service capacity, HVAC system capacity, or
93 other building requirements. Further, the commission may
94 recommend to the Legislature additional categories of buildings,
95 structures, or facilities which should be exempted from the
96 Florida Building Code, to be provided by law. The Florida
97 Building Code does not apply to temporary housing provided by
98 the Department of Corrections to any prisoner in the state
99 correctional system.

100 **Section 4. Subsection (22) is added to section 633.202,**

Florida Statutes, to read:

633.202 Florida Fire Prevention Code.—

(22) (a) As used in this subsection, the term "chickee" has the same meaning as in s. 553.73(10) (i).

(b) Notwithstanding any other provision of law, a chickee is exempt from the Florida Fire Prevention Code, including the national fire codes and other national codes incorporated by reference, if:

1. The chickee is at least 20 feet from another structure subject to the Florida Building Code; or

2. The chickee otherwise implements fire-proofing measures approved by a certified fire protection system contractor.

Section 5. This act shall take effect July 1, 2026.