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HB 929

2026 Legislature

1  
 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

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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,

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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

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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,

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101 Florida Statutes, to read:

102 633.202 Florida Fire Prevention Code.—

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

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

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

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

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