

By Senator Truenow

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A bill to be entitled  
An act relating to regulation of chickees; creating  
ss. 125.573 and 166.0487, F.S.; defining the term  
"chickee"; prohibiting counties and municipalities,  
respectively, from enacting ordinances, regulations,  
or policies that prevent construction of chickees  
under certain circumstances or that are more  
restrictive than federal floodplain management  
regulations; amending s. 553.73, F.S.; revising the  
definition of the term "chickee"; providing that later  
incorporation of certain features into an existing  
chickee requires a permit; providing criminal  
penalties for persons who are not members of specific  
tribes and who construct chickees in an attempt to  
circumvent the Florida Building Code; amending s.  
633.202, F.S.; defining the term "chickee"; exempting  
certain chickees from the Florida Fire Prevention  
Code; providing an effective date.

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

Section 1. Section 125.573, Florida Statutes, is created to  
read:

125.573 Ordinances, regulations, and policies concerning  
chickees.—

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

(2) A county may not enact an ordinance, a regulation, or a  
policy:

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(a) That prevents or has the effect of preventing a chickee from being constructed in a side yard, provided the chickee is at least 10 feet from any property line, or near another structure, provided the chickee is at least 10 feet from the other structure; or

(b) That concerns chickees and is more restrictive than federal floodplain management regulations.

Section 2. Section 166.0487, Florida Statutes, is created to read:

166.0487 Ordinances, regulations, and policies concerning chickees.—

(1) As used in this section, the term “chickee” has the same meaning as in s. 553.73(10)(i).

(2) A municipality may not enact an ordinance, a regulation, or a policy:

(a) That prevents or has the effect of preventing a chickee from being constructed in a side yard, provided the chickee is at least 10 feet from any property line, or near another structure, provided the chickee is at least 10 feet from the other structure; or

(b) That concerns chickees and is more restrictive than federal floodplain management regulations.

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

553.73 Florida Building Code.—

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

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(i) Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida.

1. As used in this paragraph, the term "chickee" means an open-sided wooden hut that has a thatched roof of palm or palmetto or other traditional materials, and that does not incorporate any electrical, plumbing, or other nonwood features. A chickee may include a wooden deck and may incorporate nonwood fasteners, including, but not limited to, nails, screws, bolts, nuts, washers, staples, and hurricane straps.

2. The later incorporation of any electrical, plumbing, or other nonwood feature into an existing chickee requires a permit but may not be construed to affect the exempt status of or require a permit for the chickee.

3. 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 misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

With the exception of paragraphs (a), (b), (c), and (f), in order to preserve the health, safety, and welfare of the public, the Florida Building Commission may, by rule adopted pursuant to chapter 120, provide for exceptions to the broad categories of buildings exempted in this section, including exceptions for application of specific sections of the code or standards adopted therein. The Department of Agriculture and Consumer Services shall have exclusive authority to adopt by rule, pursuant to chapter 120, exceptions to nonresidential farm buildings exempted in paragraph (c) when reasonably necessary to

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88 preserve public health, safety, and welfare. The exceptions must  
89 be based upon specific criteria, such as under-roof floor area,  
90 aggregate electrical service capacity, HVAC system capacity, or  
91 other building requirements. Further, the commission may  
92 recommend to the Legislature additional categories of buildings,  
93 structures, or facilities which should be exempted from the  
94 Florida Building Code, to be provided by law. The Florida  
95 Building Code does not apply to temporary housing provided by  
96 the Department of Corrections to any prisoner in the state  
97 correctional system.

98 Section 4. Subsection (22) is added to section 633.202,  
99 Florida Statutes, to read:

100 633.202 Florida Fire Prevention Code.—

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

103 (b) Notwithstanding any other provision of law, a chickee  
104 that is at least 20 feet from any other structure subject to the  
105 Florida Building Code or that otherwise includes fireproofing  
106 measures approved by a certified fire protection system  
107 contractor is exempt from the Florida Fire Prevention Code.

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