

## CHAPTER 2026-55

### House Bill No. 929

An act relating to local government regulation of chickees; creating ss. 125.489 and 166.04845, F.S.; prohibiting counties and municipalities, respectively, from enacting an ordinance, regulation, or policy that prevents a chickee from being constructed by certain persons in specified locations; prohibiting counties and municipalities from enacting an ordinance, regulation, or policy concerning chickees that is more restrictive than certain federal regulations; amending s. 553.73, F.S.; revising the definition of the term “chickee”; providing a penalty for certain persons who construct chickees in an attempt to assert an exemption from 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 125.489, Florida Statutes, is created to read:

125.489 Ordinances, regulations, and policies concerning chickees.—

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

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

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

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

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

166.04845 Ordinances, regulations, and policies concerning chickees.—

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

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

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

(2) A municipality may not enact an ordinance, regulation, or policy concerning chickees that 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:

(i) Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida. 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; that may have a wooden deck; and that does not incorporate any electrical, plumbing, or other nonwood features, except that a chickee may:

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

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

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

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.

Approved by the Governor April 29, 2026.

Filed in Office Secretary of State April 29, 2026.