

HCS HB 473 -- HOME-BASED BUSINESSES

SPONSOR: Grier

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Downsizing State Government by a vote of 6 to 2. Voted "Do Pass" by the Standing Committee on Rules- Legislative Oversight by a vote of 8 to 0.

This bill prohibits municipalities from restricting the operation of a "home-based business" or otherwise requiring a person to apply for or obtain a permit, license, variance, or other prior approval to operate a home-based business. The bill establishes a list of factors that qualify a residential property for use as a home-based business.

Municipalities can establish reasonable regulations on a home-based business if the regulations are narrowly tailored for specified purposes, including protecting public health and safety. A municipality that enacts a regulation bears the burden of proving by clear and convincing evidence that the regulation complies with this bill.

PROPOSERS: Supporters say that this bill prevents local governments from banning home-based businesses. Almost half of all businesses are home-based. Some regulation is necessary but arbitrarily restricting businesses is unhelpful.

Testifying for the bill were Representative Grier and Kyna Iman, the Missouri Association of Health Inspectors.

OPPOSERS: Those who oppose the bill say that this bill makes allowances for noise and other safety regulations but there is no verification process. There are some home based occupations that don't interfere with the integrity of a residential area. Most cities have some sort of permit process that allows for verification that neighbors are not impacted.

Testifying against the bill was the Richard Sheets, Missouri Municipal League.