

The Florida Senate
HOUSE MESSAGE SUMMARY

Prepared By: The Professional Staff of the Committee on Community Affairs

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BILL: CS/HB 403 (CS/CS/SB 266)

INTRODUCER: Commerce Committee and Rep. Giallombardo and others (Rules Committee; Community Affairs Committee and Senators Perry and Baxley)

SUBJECT: Home-based Businesses

DATE: April 30, 2021

I. Amendments Contained in Message:

House Amendment 1 – 527003 to Senate Amendment 1 – 355386 (body with title)

II. Summary of Amendments Contained in Message:

House Amendment 1 makes the following changes:

- Provides that any local regulations on noise, vibration, heat, smoke, dust, glare, fumes, or noxious odors may not be more restrictive for home-based businesses than other residential property; omits Senate provision that states the bill does not prohibit local governments from enacting or enforcing noise ordinances.
- Clarifies that a business may have additional remote employees that do not work at the residential dwelling.
- Requires local regulations of home-based business parking not be more stringent than other residential property.
- Omits “traffic” from the bill’s restrictions on parking generated by a business.
- Omits examples of what the term “heavy equipment” includes.
- Removes ability for local government to regulate hours of operation of a home-based business.
- Requires the use of the residential property, as viewed from the street, to be consistent with surrounding residential properties.
- Removes provision allowing local governments to regulate activities conducted outside the primary residential structure of the business. Instead, the amendment prohibits a business from conducting transactions at a structure other than the residence, with the exception of incidental business uses.
- Provides that a home-based business may not be prohibited, restricted, regulated, or licensed in a manner that is different from other businesses in a local government's jurisdiction.

- Provides that the bill does not supersede local ordinances and regulations related to transient public lodging establishments.
- Omits legislative intent and findings.
- Restructures bill provisions for clarity