

**Hall of the House of Representatives**  
93rd General Assembly - Regular Session, 2021  
**Amendment Form**

---

**Subtitle of House Bill No. 1416**

TO ENCOURAGE HOME-BASED ENTREPRENEURSHIP; AND TO REMOVE UNNECESSARY BARRIERS  
TO WORKING FROM HOME.

---

**Amendment No. 1 to House Bill 1416**

Amend House Bill No. 1416 as originally introduced:

Page 2, delete line 5, and substitute the following:

"conducted by a resident within a residence that is clearly incidental to and secondary to the principal use of the structure for residential dwelling purposes;"

AND

Page 2, delete lines 18 through 32, and substitute the following:

"(d) Notwithstanding any other law, local government may license or regulate home-based work if the home-based work is not prohibited and shall only be restricted as to the following:

- (1) Advertisements, signs, or other exterior evidence that a residence is being used for any purpose other than a residence;
- (2) Nuisances, including without limitation odor, excessive dust, smoke, vibration, noise, light, heat, glare, or similar disturbances;
- (3) Health, fire, and safety codes;
- (4) Traffic, parking, building, and maintenance codes;
- (5) Protections for children, elderly, and the infirm;
- (6) Limitations on the number of employees, customers, and tenants at the residence;
- (7) Prohibitions or limitations related to public health, safety, and welfare; and
- (8) Licenses and regulations that apply to businesses without regard to location."

AND

Page 3, delete lines 6 and 7, and substitute the following:

"SECTION 2. Arkansas Code § 14-17-209(a), concerning county zoning ordinances, is amended to read as follows:



(a)(1) The county planning board shall have authority to prepare, or to cause to be prepared, a zoning ordinance for all or part of the unincorporated area of the county, which ordinance shall include both a map and a text.

(2) The zoning ordinance may regulate:

(A) ~~the~~ The location, height, bulk, number of stories, and the size of building;

(B) ~~open~~ Open space;

(C) ~~lot~~ Lot coverage;

(D) ~~density~~ Density and distribution of population; and

(E) ~~the~~ The uses of land, buildings, and structures.

(3) ~~It~~ The zoning ordinance may require off-street parking and loading.

(4) ~~It~~ The zoning ordinance may provide for districts of compatible uses, for large-scale unified development, for the control and elimination of uses not in conformance with provisions of the ordinance, and for such other matters as are necessary to the health, safety, and general welfare of the county.

(5) The zoning ordinance shall designate districts or zones of such shape, size, or characteristics as deemed advisable for all, or part, of the unincorporated area of the county.

(6) The regulations imposed within each district or zone shall be uniform throughout the district or zone.

(7) The zoning ordinance shall allow and regulate home-based work as provided in § 14-1-104.

SECTION 3. Arkansas Code § 14-56-416(a)(3), concerning municipal zoning ordinances, is amended to add an additional subdivision to read as follows:

(F) The ordinance shall allow and regulate home-based work as provided in § 14-1-104."

The Amendment was read

By: Representative Underwood

ANS/ANS - 03-08-2021 10:00:07

ANS292

\_\_\_\_\_  
Chief Clerk