

By: Senator(s) Sparks

To: Business and Financial  
Institutions

SENATE BILL NO. 2630

1 AN ACT TO CREATE THE HOME BUSINESS RELIEF ACT OF 2022; TO  
2 ENACT DEFINITIONS; TO PROHIBIT CERTAIN RESTRICTIONS ON CERTAIN  
3 HOME-BASED SMALL BUSINESSES BY LOCAL GOVERNMENTS; AND FOR RELATED  
4 PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 **SECTION 1.** (1) This act may be cited as the "Home Business  
7 Relief Act of 2022."

8 (2) As used in this act:

9 (a) "Local unit of government" means a county,  
10 municipality, local taxing entity or any local political  
11 subdivision thereof.

12 (b) "Home-based work" means any legal occupation,  
13 lawful under both federal and state law, performed by a resident  
14 within a residential home or accessory structure, which is clearly  
15 incidental and secondary to the use of the dwelling unit for  
16 residential purposes.

17 (3) (a) A local unit of government shall not adopt or  
18 enforce an ordinance or regulation that restricts a particular



19 home-based occupation or activity or imposes a burden on  
20 home-based work.

21 (b) A local unit of government shall not:

22 (i) Prohibit mail order or telephone sales for  
23 home-based work;

24 (ii) Prohibit serving clients by appointment in  
25 the home or accessory structure;

26 (iii) Prohibit resident or non-resident employees  
27 or independent contractors from working in the home or accessory  
28 structure;

29 (iv) Prohibit or require structural modifications  
30 to the home or accessory structure;

31 (v) Restrict the amount of floor space for  
32 home-based work;

33 (vi) Restrict the hours of operation for  
34 home-based work;

35 (vii) Require an individual engaged in home-based  
36 work to apply, register or obtain a permit, license, variance or  
37 other type of prior approval from the local unit of government,  
38 unless otherwise required under state or local law;

39 (viii) Restrict storage or the use of equipment  
40 that does not produce effects outside the home or accessory  
41 structure.

42 (ix) Require rezoning for commercial use of the  
43 home or accessory structure used exclusively for home-based work;



44                   (x) Require the installation or equipping of fire  
45 sprinklers in the home or accessory structure used exclusively for  
46 home-based work.

47           (4) A person alleging a violation of this act may bring a  
48 civil action for appropriate relief, including reasonable attorney  
49 and witness fees and costs for the prevailing party.

50           (5) The application of this act does not supersede any deed  
51 restriction, covenant or agreement restricting the use of land or  
52 any master deed, by law or other document applicable to a common  
53 interest ownership community.

54           **SECTION 2.** This act shall take effect and be in force from  
55 and after July 1, 2022.

