

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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HOUSE BILL 372
PROPOSED COMMITTEE SUBSTITUTE H372-PCS30301-TM-4

Short Title: Home-Based Business Fairness Act.

(Public)

Sponsors:

Referred to:

March 12, 2025

1 A BILL TO BE ENTITLED
2 AN ACT PROVIDING THAT CITIES SHALL NOT PROHIBIT CERTAIN HOME-BASED
3 BUSINESSES WITHIN THEIR JURISDICTIONAL LIMITS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Article 8 of Chapter 160A of the General Statutes is amended by
6 adding a new section to read:

7 "**§ 160A-205.8. No-impact home-based businesses.**

8 (a) A city shall not adopt an ordinance or other regulation prohibiting no-impact
9 home-based businesses within its jurisdictional limits or require a person to apply, register, or
10 obtain any permit, license, variance, or other type of approval to operate a no-impact home-based
11 business within its jurisdictional limit. A city may impose reasonable regulations on no-impact
12 home-based businesses if the regulations are narrowly tailored for any of the following purposes:

13 (1) Ensuring the protection of public health and safety, as allowed by law.

14 (2) Ensuring that the business activity meets all of the following:

15 a. Is compatible with the residential use of the property and surrounding
16 residential use.

17 b. Is secondary to the use of the property as a residential dwelling.

18 c. Complies with State and federal law, including the payment of
19 applicable taxes.

20 (3) Prohibiting or limiting the use of no-impact home-based businesses for the
21 purpose of selling illegal drugs, liquor, operating or maintaining a structured
22 sober living home, pornography, obscenity, or nude or topless dancing or
23 other adult-oriented businesses.

24 (b) A municipality shall not require as a condition of operating a no-impact home-based
25 business that the owner or occupant of the property do the following:

26 (1) Submit a petition for rezoning the property for commercial use.

27 (2) Install or equip fire sprinklers in any building or structure subject to the
28 Residential Building Code.

29 (c) The provisions of this section shall not apply if the operation of a no-impact
30 home-based business is prohibited by the terms of:

31 (1) Any deed, covenant, or agreement restricting the use of the land.

32 (2) Any master deed, bylaws, or other documents applicable to a homeowners
33 association.

34 (d) The following definitions apply in this section:

35 (1) Goods. – Any merchandise, equipment, products, supplies, or materials.



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- 1 (2) Home-based business. – Any business owned and operated by the owner or
- 2 occupant of the residential dwelling that manufactures, provides, or sells
- 3 goods or services.
- 4 (3) No-impact home-based business. – A no-impact home-based business for
- 5 which all of the following apply:
- 6 a. The total number of on-site employees and clients do not exceed the
- 7 municipality's occupancy limit for the residential property.
- 8 b. The business activities are characterized by all of the following:
- 9 1. Are limited to the sale of lawful goods and services.
- 10 2. Do not generate on-street parking or a substantial increase in
- 11 traffic through the residential area.
- 12 3. Occur inside or in the yard of the residential dwelling.
- 13 4. Are not visible from the street.
- 14 5. Do not store merchandise, equipment, products, supplies, or
- 15 materials outside of the premises."

16 **SECTION 2.** This act is effective when it becomes law.