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## A BILL FOR AN ACT

RELATING TO HOME OCCUPATIONS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that allowing home  
2 occupations would solve many problems for struggling young  
3 families, small business owners, and commuters. Parents would  
4 be able to stay home with young children, strengthening the  
5 family and saving money on childcare if they were able to care  
6 for children and elderly parents while working at home. It  
7 would be easier for entrepreneurs to start up small businesses  
8 if they were not first required to rent expensive office space.  
9 Commuter traffic would thin out if a percentage of drivers were  
10 able to stay at home instead of adding to traffic congestion.

11           The purpose of this Act is to establish regulations for  
12 home occupations.

13           SECTION 2. Chapter 46, Hawaii Revised Statutes, is amended  
14 by adding a new section to be appropriately designated and to  
15 read as follows:

16           "§46-       Home occupation. (a) Notwithstanding any law to  
17 the contrary, the owner of a home occupation may:



1       (1) Employ up to two non-occupant, non-family member  
2       employees;

3       (2) Receive one courier visit per day, excluding  
4       deliveries by the United States Postal Service; and

5       (3) Service up to five customers per day.

6       (b) A county may regulate activities of owners of home  
7       occupations that are disruptive to the surrounding neighborhood,  
8       are a source of unreasonable noise or noxious fumes, or violate  
9       county ordinances relating to the parking of commercial  
10       vehicles.

11       (c) As used in this section, "home occupation" means a  
12       business operated from a residential dwelling by the owner-  
13       occupant of the residential dwelling. "Home occupation" shall  
14       not include:

15       (1) Bed and breakfasts, transient vacation rentals, or  
16       other tourist accommodation businesses;

17       (2) Trade activities, including carpentry; or

18       (3) Halfway houses."

19       SECTION 3. If a county ordinance for halfway houses  
20       conflicts with any provision of this Act, the county ordinance  
21       shall prevail; provided that nothing in this Act shall be deemed



1 to prevent the department of health from imposing any noise  
2 permit requirements on the owner of any home occupation.

3 SECTION 4. New statutory material is underscored.

4 SECTION 5. This Act shall take effect upon its approval.

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**Report Title:**

Home Occupation; Counties

**Description:**

Regulates home occupations.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

