Model Legislation:
Camping Ban Amendments

This model legislation offers a framework for amending legislation proposing a camping ban. ***This example should only be used when a camping ban has already been introduced and there is strong insistence on keeping that language during negotiations with the legislature.*** *This provision removes tickets, fines, and arrests. It requires coordination with outreach teams, prohibits the removal of personal property, and ensures extended engagement periods between law enforcement contact—prioritizing connection to housing and services.*

Sec 1. (a) – A person may not camp, sleep, or use for long term shelter land owned by the state or a political subdivision.

1. If:
    a. A person violates subsection (a); and
    b. The person has not previously violated subsection (a)- the law enforcement officer who discovers the violation shall first give the person a warning and contact the nearest outreach team established in SECTION 1, Sec 5 to offer access to short-term housing, rental assistance, and/or services for individuals experiencing a housing crisis with a serious and persistent mental illness, a chronic chemical addition, or a serious and persistent mental illness with a co-occurring chronic chemical addiction.
2. A person who knowingly or intentionally violates subsection (a) after:
    a. having first received a warning under subsection (b); and
    b. thirty (30) days have elapsed since the warning was given under subsection (b); shall be referred to a diversion program or offering of services in lieu of a citation.

Sec 2 - During the period between the first warning and any subsequent violations, no personal belongings of the individual shall be removed, provided the individual is actively engaging with the outreach teams established in SECTION 1, Sec 5.

Sec 3. – It is a defense to a prosecution under subsection (c) that there are no services or shelter available within five (5) miles of where the violation of this section occurred. Law enforcement officers must verify the availability of housing or services.

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