

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

H.B. 781
Apr 3, 2025
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH10360-LM-102

Short Title: Unauthorized Public Camping & Sleeping. (Public)

Sponsors: Representative Biggs.

Referred to:

A BILL TO BE ENTITLED
AN ACT BANNING UNAUTHORIZED PUBLIC CAMPING OR SLEEPING IN THE STATE
AND LOCAL GOVERNMENT UNITS OF THE STATE.

The General Assembly of North Carolina enacts:

SECTION 1. Article 9 of Chapter 160D of the General Statutes is amended by adding a new section to read:

"§ 160D-917. Camping in public spaces.

(a) For purposes of this section, the following definitions shall apply:

(1) Department. – The North Carolina Department of Health and Human Services (DHHS) or the county health department if designated by DHHS.

(2) Local government unit. – A county or municipality.

(3) Public camping or sleeping. – Lodging or residing overnight in a temporary outdoor habitation used as a dwelling or living space and evidenced by the erection of a tent or other temporary shelter, the presence of bedding or pillows, or the storage of personal belongings or lodging or residing overnight in an outdoor space without a tent or other temporary shelter. The term does not include (i) lodging or residing overnight in a motor vehicle that is registered, insured, and located in a place where it may be lawfully or (ii) camping for recreational purposes on property designated for those purposes.

(b) Except as provided in subsection (c) of this section, a local government unit (hereinafter "unit") may not authorize or otherwise allow any person to regularly engage in public camping or sleeping on any public property, including, but not limited to, any public building or its grounds and any public right-of-way under the jurisdiction of the unit.

(c) The governing body of a unit may, by majority vote, designate property owned by the unit within its jurisdictional boundaries to be used for a continuous period of no longer than one year for the purposes of public camping or sleeping. Except for a unit on the "unit list" prepared by the Local Government Commission, the unit shall, in making the designation, establish and maintain minimum standards and procedures related to the designated property for the purposes of:

(1) Ensuring the safety and security of the designated property and the persons lodging or residing on the property.

(2) Maintaining sanitation, which must, at a minimum, include providing access to clean and operable restrooms and running water.

(3) Coordinating with the county health department to provide access to behavioral health services, which must include substance abuse and mental health treatment resources.



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(4) Prohibiting illegal substance use and alcohol use on the designated property and enforcing the prohibition against such use.

(d) The unit's designation of property under subsection (c) of this section shall not become effective until it has been certified by the Department. To obtain the certification, the unit shall submit a request to the Secretary of the Department which shall include documentation proving all of the following:

(1) There are not sufficient open beds in homeless shelters in the unit for the homeless population of the unit.

(2) The designated property is not contiguous to property zoned for residential use by the unit.

(3) The designated property would not adversely and materially affect the property value or safety and security of other existing residential or commercial property in the unit and would not negatively affect the safety of children.

(4) The unit has developed a plan to satisfy the minimum standards and procedures prescribed in subsection (c) of this section.

(e) Within 10 days after receipt of a request to certify a designation, the Department shall notify the unit of the date the request was received and of any omissions or errors in the request. The Department shall certify the designation within 45 days after receipt of a complete submission from the unit, and the designation shall be deemed certified on the forty-fifth day if the Department takes no action.

(f) Within 30 days after certification of a designation by the Department, the unit shall publish the minimum standards and procedures required by subsection (c) of this section on the unit's website. The unit shall continue to make the standards and procedures publicly available for as long as any unit property remains designated under subsection (d) of this section.

(g) The Department may inspect any designated property at any time, and the Department shall provide notice to the unit recommending closure of the designated property if the requirements of this section are no longer satisfied. A unit shall publish any notice recommending closure on the unit's website not later than five business days after receipt of the notice.

(h) Any resident of the unit, any owner of a business located in the unit, or the Attorney General may bring a civil action in any court of competent jurisdiction against the unit to enjoin a violation of subsection (b) of this section. If the resident or business owner prevails in a civil action, the court may award reasonable expenses incurred in bringing the civil action, including court costs, reasonable attorneys' fees, investigative costs, witness fees, and deposition costs. An application for an injunction under this subsection shall be accompanied by an affidavit attesting to all of the following:

(1) The applicant has provided written notice of the alleged violation to the governing body of the unit.

(2) The applicant has provided the unit with five business days to cure the alleged violation.

(3) The county or municipality has failed to take all reasonable actions within its governmental powers to cure the alleged violation within five business days after receiving written notice of the alleged violation from the applicant.

(i) This section does not apply during any time period in which:

(1) The Governor has declared a state of emergency pursuant to G.S. 166A-19.20.

(2) A unit has declared a state of emergency pursuant to G.S. 166A-19.22."

SECTION 2. This act becomes effective October 1, 2025.