

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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HOUSE BILL 781
PROPOSED COMMITTEE SUBSTITUTE H781-PCS10509-CO-13

Short Title: Unauthorized Public Camping & Sleeping.

(Public)

Sponsors:

Referred to:

April 7, 2025

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) 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 used 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 may not authorize or otherwise allow any person to regularly engage in public camping or sleeping on any public property, including any public building or its grounds and any public right-of-way under the jurisdiction of the local government.

(c) The governing board of a local government may, by majority vote, designate property owned by the local government 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 local government on the Unit Assistance List prepared by the Local Government Commission, the local government shall, in making the property 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 designated 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 local government's designation of property under subsection (c) of this section shall not become effective until the designated property is certified by the Department. To obtain the certification, the local government 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 local government for the homeless population of the local government.

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

(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 local government and would not negatively affect the safety of children.

(4) The local government 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 designated property, the Department shall notify the local government of the date the request was received and of any omissions or errors in the request. The Department shall certify the designated property within 45 days after receipt of a complete submission from the local government, and the designated property shall be deemed certified on the forty-fifth day if the Department takes no action.

(f) Within 30 days after certification of a designated property by the Department, the local government shall publish the minimum standards and procedures required by subsection (c) of this section on the local government's website. The local government shall continue to make the standards and procedures publicly available for as long as any local government 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 local government recommending closure of the designated property if the requirements of this section are no longer satisfied. A local government shall publish any notice recommending closure on the local government's website not later than five business days after receipt of the notice.

(h) Any resident of the local government, any owner of a business located in the local government, or the Attorney General may bring a civil action in any court of competent jurisdiction against the local government 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 board of the local government.

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

(3) The local government 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 local government has declared a state of emergency pursuant to G.S. 166A-19.22."

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