

2025 Regular Session

HOUSE BILL NO. 619

BY REPRESENTATIVE KNOX

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

MENTAL HEALTH: Provides relative to group and community homes

1 AN ACT

2 To enact Part IV of Chapter 3 of Title 40 of the Louisiana Revised Statutes of 1950, to be
3 comprised of R.S. 40:581.1 through 582, relative to homelessness; to prohibit public
4 camping and temporary outdoor habitation; to provide for exceptions; to provide for
5 definitions; to provide notification requirements; to provide minimum standards and
6 procedure; to provide for enforcement; to provide for housing; to establish
7 regulations that promote sanitary conditions; to direct the Louisiana Department of
8 Health to seek waivers; to provide for an effective date; and to provide for related
9 matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. Part IV of Chapter 3 of Title 40 of the Louisiana Revised Statutes of 1950,
12 comprised of R.S. 40:581.1 through 582, is hereby enacted to read as follows:

13 PART IV. HOMELESSNESS

14 §581.1. Public camping; policy; definitions

15 A. To protect the health, safety, and welfare of the people of this state, it is
16 the purpose of this Part to prohibit camping in public areas and rights of way not
17 specifically designated for that purpose.

18 B. As used in this Part, the following terms have the following meanings:

19 (1) "Department" means the Louisiana Department of Health.

20 (2)(a) "Public camping" means either of the following:

1 (i) Lodging or residing overnight in a temporary outdoor habitation used as
2 a dwelling or living space and evidenced by the erection of a tent, the presence of
3 bedding or pillows, or the storage of personal belongings for the purpose of
4 habitation.

5 (ii) Lodging or residing overnight in an outdoor space without a tent or other
6 temporary shelter.

7 (b) "Public camping" does not mean any of the following:

8 (i) Lodging or residing overnight in a motor vehicle that is registered,
9 insured, and located in a place where it is lawful to do so.

10 (ii) Camping for recreational purposes on property designated for such
11 purposes.

12 (iii) Any camping, lodging, or other recreational activity in a state park.

13 §581.2. Prohibition of public camping; exceptions

14 A. Except as provided for in Subsection B of this Section, a political
15 subdivision shall not authorize or otherwise allow any person to regularly engage in
16 public camping on a public property, including but not limited to a public building
17 or its grounds or a public right-of-way under the jurisdiction of the political
18 subdivision.

19 B.(1) A political subdivision may, by majority vote of the political
20 subdivision's governing body, designate property owned by the political subdivision
21 or a municipality within the boundaries of the political subdivision to be used for a
22 continuous period of no longer than one year for the purposes of public camping
23 subject to the following conditions:

24 (a) There are not sufficient open beds in homeless shelters in the political
25 subdivision for the homeless population of the political subdivision.

26 (b) The designated property is not contiguous with property designated for
27 residential use by the political subdivision in the local government comprehensive
28 plan and future land use map.

1 (c) The designated property would not adversely and materially affect the
2 property value or safety and security of other existing residential or commercial
3 property in the political subdivision and would not negatively affect the safety of
4 children.

5 (2) The political subdivision shall seek a certification from the department
6 within ten days of designating property for public camping in accordance with
7 procedures established by the department.

8 (3) Upon receipt of a political subdivision request to certify a designation,
9 the department shall notify the political subdivision of the date the request to certify
10 was received and of any omission or error within ten days after receipt. The
11 department shall certify the designation within forty-five days after receipt of a
12 complete submission from the political subdivision, and the designation shall be
13 deemed certified on the forty-fifth day if the department takes no action.

14 C.(1) If a political subdivision designates political subdivision or municipal
15 property to be used for public camping, it shall establish and maintain minimum
16 standards and procedures related to the designated property for all of the following
17 purposes:

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

20 (b) Maintaining sanitation, including but not limited to providing access to
21 clean and operable restrooms and running water.

22 (c) Coordinating with federal, state, local, and private entities to provide
23 access to behavioral health services, which shall include substance abuse and mental
24 health treatment resources.

25 (d) Prohibiting illegal substance use on the designated property and
26 enforcing such prohibition.

27 (2) Within thirty days after the department certifies a designation, the
28 political subdivision shall publish the minimum standards and procedures on the
29 political subdivision's website. The political subdivision and municipality shall

1 continue to make policies and procedures publicly available for as long as any
2 political subdivision property remains designated for public camping.

3 D. The department may inspect a designated property at any time, and the
4 secretary may provide notice to the political subdivision recommending closure of
5 the designated property if he determines that the requirements of this Section are no
6 longer satisfied. A political subdivision shall publish any notice issued by the
7 department on the political subdivision's website within five business days after
8 receipt of the notice.

9 §581.3. Enforcement

10 A. A resident of the political subdivision, an owner of a business located in
11 the political subdivision, or the attorney general may bring a civil action in any court
12 of competent jurisdiction against the political subdivision or applicable municipality
13 to enjoin a violation of this Part.

14 B. If the resident, business owner, or attorney general prevails in a civil
15 action brought in accordance with this Section, the court may award reasonable
16 expenses incurred in bringing the civil action, including court costs, reasonable
17 attorney fees, investigative costs, witness fees, and deposition costs.

18 C. An application for injunction filed pursuant to this Section shall be
19 accompanied by an affidavit attesting to all of the following:

20 (1) The applicant has provided written notice of the alleged violation of this
21 Part to the governing authority of the political subdivision or applicable
22 municipality.

23 (2) The applicant has provided the political subdivision or applicable
24 municipality with ten business days to cure the alleged violation.

25 (3) The political subdivision has failed to take all reasonable actions within
26 the limits of its governmental authority to cure the alleged violation within ten
27 business days after receiving written notice of the alleged violation.

28 D. The provisions of this Section shall apply to a political subdivision during
29 any time period in which either of the following occurs:

1 (1) The governor has declared a state of emergency in the political
2 subdivision or another political subdivision immediately adjacent to the political
3 subdivision and has suspended the provisions of this Section.

4 (2) A state of emergency has been declared in the political subdivision
5 pursuant to R.S. 29:721 et seq.

6 §582. Housing and services for individuals experiencing homelessness

7 A.(1) The Louisiana Department of Health shall promulgate rules to
8 establish minimum housing standards for emergency shelters, community facilities,
9 group homes, and halfway houses.

10 (2) The minimum housing standards shall consider critical aspects such as
11 safety, sanitation, privacy, and habitability.

12 B. The state fire marshal shall assist in the implementation of the provisions
13 of this Section by conducting inspections of emergency shelters, community
14 facilities, group homes, and halfway houses to verify that the housing options
15 available to individuals experiencing homelessness are safe and sanitary.

16 C. The Louisiana Department of Health may promulgate rules in accordance
17 with the Administrative Procedure Act to implement the provisions of this Section.

18 D. The Louisiana Department of Health shall seek waivers from the Centers
19 for Medicare and Medicaid Services to obtain funding to provide healthcare and
20 housing services to individuals who are experiencing homelessness and suffering
21 from illnesses.

22 Section 2. This Act shall become effective upon signature by the governor or, if not
23 signed by the governor, upon expiration of the time for bills to become law without signature
24 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
25 vetoed by the governor and subsequently approved by the legislature, this Act shall become
26 effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 619 Original

2025 Regular Session

Knox

Abstract: Allows public camping and temporary outdoor habitation under certain circumstances.

Proposed law defines "department" and "public camping".

Proposed law provides that a political subdivision shall not authorize or otherwise allow any person to regularly engage in public camping on a public property, including but not limited to a public building or its grounds or a public right-of-way under the jurisdiction of the political subdivision.

Proposed law allows a political subdivision to, by majority vote of the political subdivision's governing body, designate property owned by the political subdivision or a municipality within the boundaries of the political subdivision to be used for a continuous period of no longer than one year for the purposes of public camping subject to the following conditions:

- (1) There are not sufficient open beds in homeless shelters in the political subdivision for the homeless population of the political subdivision.
- (2) The designated property is not contiguous with property designated for residential use by the political subdivision in the local government comprehensive plan and future land use map.
- (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 political subdivision and would not negatively affect the safety of children.

Proposed law requires a political subdivision to seek a certification from the La. Dept. of Health (LDH) within 10 days of designating property for public camping.

Proposed law requires LDH, upon receipt of a political subdivision request to certify a designation, to notify the political subdivision of the date the request to certify was received and of any omission or error within 10 days after receipt.

Proposed law requires the LDH to certify the designation within 45 days after receipt of a complete submission from the political subdivision. Proposed law further provides that the designation shall be deemed certified on the 45th day if LDH takes no action.

Proposed law provides that if a political subdivision designates political subdivision or municipal property to be used for public camping, it shall establish and maintain minimum standards and procedures related to the designated property for all of the following purposes:

- (1) Ensuring the safety and security of the designated property and the persons lodging or residing on the property.
- (2) Maintaining sanitation, including but not limited to providing access to clean and operable restrooms and running water.

- (3) Coordinating with federal, state, local, and private entities to provide access to behavioral health services, which shall include substance abuse and mental health treatment resources.
- (4) Prohibiting illegal substance use on the designated property and enforcing such prohibition.

Proposed law requires the political subdivision, within 30 days after the department certifies a designation, to publish the minimum standards and procedures on the political subdivision's website. Proposed law further requires the political subdivision and municipality to continue to make policies and procedures publicly available for as long as any political subdivision property remains designated for public camping.

Proposed law allows a resident of the political subdivision, an owner of a business located in the political subdivision, or the attorney general to bring a civil action in any court of competent jurisdiction against the political subdivision or applicable municipality for violation of proposed law.

Proposed law provides that an application for injunction filed pursuant to proposed law shall be accompanied by an affidavit attesting to all of the following:

- (1) The applicant has provided written notice of the alleged violation of proposed law to the governing authority of the political subdivision or applicable municipality.
- (2) The applicant has provided the political subdivision or applicable municipality with 10 business days to cure the alleged violation.
- (3) The political subdivision has failed to take all reasonable actions within the limits of its governmental authority to cure the alleged violation within 10 business days after receiving written notice of the alleged violation.

Proposed law provides that proposed law is applicable to a political subdivision during any time period when either of the following occurs:

- (1) The governor has declared a state of emergency in the political subdivision or another political subdivision immediately adjacent to the political subdivision and has suspended the provisions of this Section.
- (2) A state of emergency has been declared in the political subdivision.

Proposed law provides that LDH shall promulgate rules to establish minimum housing standards for emergency shelters, community facilities, group homes, and halfway houses.

Proposed law states that the minimum housing standards shall consider critical aspects such as safety, sanitation, privacy, and habitability.

Proposed law directs the state fire marshal to assist in the implementation proposed law by conducting inspections of emergency shelters, community facilities, group homes, and halfway houses to verify that the housing options available to individuals experiencing homelessness are safe and sanitary.

Proposed law directs LDH to seek waivers from the Centers for Medicare and Medicaid Services to obtain funding to provide healthcare and housing services to individuals who are suffering from severe illnesses.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 40:581.1-582)