

SENATE FLOOR AMENDMENTS

2025 Regular Session

Amendments proposed by Senator Owen to Engrossed Senate Bill No. 196 by Senator Owen

AMENDMENT NO. 1

On page 1, line 3, after "5386," delete "and" and after "14:107.6," insert "and Part IV of Chapter 3 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:581.1 through 581.3,"

AMENDMENT NO. 2

On page 1, line 8, after "definitions;" insert the following:  
"to prohibit public camping and temporary outdoor habitation; to provide for exceptions; to provide notification requirements; to provide minimum standards and procedure; to provide for enforcement; to provide for housing; to establish regulations that promote sanitary conditions; to direct the Louisiana Department of Health to seek waivers;"

AMENDMENT NO. 3

On page 16, at the end of line 11, after "**not more than**" change "**five**" to "**one**"

AMENDMENT NO. 4

On page 16, line 12, after "**not more than**" change "**six months or both.**" to "**ninety days, or both.**"

AMENDMENT NO. 5

On page 16, delete lines 14 and 15, and insert the following:  
**"more than five hundred dollars or imprisoned not less than six months, or both."**

AMENDMENT NO. 6

On page 16, after line 19, add the following:  
"Section 3. Part IV of Chapter 3 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:581.1 through 581.3, is hereby enacted to read as follows:  
**PART IV. HOMELESSNESS**  
**§581.1. Public camping; policy; definitions**  
**A. To protect the health, safety, and welfare of the people of this state, it is the purpose of this Part to prohibit camping in public areas and rights of way not specifically designated for that purpose.**  
**B. As used in this Part, the following terms have the following meanings:**  
**(1) "Department" means the Louisiana Department of Health.**  
**(2)(a) "Public camping" means either of the following:**  
**(i) Lodging or residing overnight in a temporary outdoor habitation used as a dwelling or living space and evidenced by the erection of a tent, the presence of bedding or pillows, or the storage of personal belongings for the purpose of habitation.**  
**(ii) Lodging or residing overnight in an outdoor space without a tent or other temporary shelter.**  
**(b) "Public camping" shall not mean any of the following:**  
**(i) Lodging or residing overnight in a motor vehicle where it is lawful to do so provided the motor vehicle is registered and insured.**

(ii) Camping for recreational purposes on property designated for that purpose.

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

#### §581.2. Prohibition of public camping; exceptions

A. Except as provided for in Subsection B of this Section, a political subdivision shall not authorize or otherwise allow any person to regularly engage in public camping on 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.

B.(1) A political subdivision may, 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 not longer than one year for the purposes of public camping subject to the following conditions:

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

(b) 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.

(c) 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.

(2) The political subdivision shall notify the department within ten days of designating property for public camping in accordance with procedures established by the department.

C.(1) If a political subdivision designates a 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:

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

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

(c) 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.

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

(2) Within thirty days after designating property for public camping, the political subdivision shall publish the minimum standards and procedures on the political subdivision's website. The political subdivision and municipality shall continue to make policies and procedures publicly available for as long as any political subdivision property remains designated for public camping.

D. The department may inspect a designated property at any time, and the secretary may provide notice to the political subdivision recommending closure of the designated property if he determines that the requirements of this Section are no longer satisfied or if the surgeon general determines there is a public health emergency. A political subdivision shall publish any notice issued by the department on the political subdivision's website within five business days after receipt of the notice.

#### §581.3. Enforcement

A.(1) The following parties may bring a civil action in any court of competent jurisdiction against the political subdivision or applicable municipality to enjoin a violation of this Part:

(a) A resident of the political subdivision residing within two thousand feet of a public encampment not in a designated area as provided by this Part.

(b) An owner of a business located within two thousand feet of a public encampment not in a designated area as provided by this Part.

(c) A nonprofit organization located within two thousand feet of a public encampment not in a designated area as provided by this Part.

(d) The district attorney.

1           (e) The attorney general.

2           B. If the resident, business owner, nonprofit organization, district  
3 attorney, or attorney general prevails in a civil action brought in accordance  
4 with this Section, the court may award reasonable expenses incurred in  
5 bringing the civil action, including court costs, reasonable attorney fees,  
6 investigative costs, witness fees, and deposition costs.

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

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

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

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

17           D. The provisions of this Section shall not apply to a political subdivision  
18 during any time period in which either of the following occurs:

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

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

24           Section 4. This Act shall become effective on July 1, 2026."