

2026 Regular Session

HOUSE BILL NO. 211

BY REPRESENTATIVE VILLIO

COURTS: Provides relative to the creation, administration, and eligibility requirements of the Homelessness Court program

1 AN ACT

2 To amend and reenact R.S. 44:4.1(B)(6) and to enact Chapter 33-D of Title 13 of the

3 Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:5381 through 5386,

4 R.S. 14:107.6, and Part IV of Chapter 3 of Title 40 of the Louisiana Revised Statutes

5 of 1950, to be comprised of R.S. 40:581.1 through 582, relative to the Homelessness

6 Court program; to provide for the creation of the program; to provide for a statement

7 of legislative intent; to provide for the goals of the program; to provide for

8 definitions; to provide for the Homelessness Court probation program; to create the

9 crime of unauthorized camping on public property; to provide for penalties; to

10 prohibit public camping and temporary outdoor habitation; to provide for exceptions;

11 to provide for notification requirements; to provide for minimum standards and

12 procedures; to provide for enforcement; to provide for housing; to establish

13 regulations that promote sanitary conditions; to provide for duties of the Louisiana

14 Department of Health and office of the state fire marshal; to provide for effective

15 dates; and to provide for related matters.

16 Be it enacted by the Legislature of Louisiana:

17 Section 1. Chapter 33-D of Title 13 of the Louisiana Revised Statutes of 1950,

18 comprised of R.S. 13:5381 through 5386, is hereby enacted to read as follows:

1 CHAPTER 33-D. HOMELESSNESS COURT PROGRAM2 §5381. Short title

3 This Chapter shall be known and may be cited as the "Homelessness Court
4 Program Act".

5 §5382. Purpose

6 The Legislature of Louisiana recognizes that there is a critical need for
7 criminal justice system programs to assist those persons who are experiencing
8 homelessness in order to reduce the incidence of substance abuse disorders, untreated
9 mental health issues, destruction and disruption of use of public property, significant
10 public health and safety issues, and crimes committed by those experiencing
11 homelessness. There is also a need for programs to assist those experiencing
12 homelessness with mental health issues, including mental health diagnoses and
13 undiagnosed mental illnesses. Moreover, many experiencing homelessness suffer
14 from co-occurring disorders of substance abuse and mental illness. These problems
15 can cause those experiencing homelessness to have involvement with the criminal
16 justice system. Therefore, it is the intent of the Legislature of Louisiana to create
17 specialized court programs in the various districts of this state called "Homelessness
18 Court programs" to assist those experiencing homelessness in overcoming these
19 issues, as they impact themselves, the criminal justice system, and society at large.
20 The goals of these programs are to reduce recidivism among those experiencing
21 homelessness and to provide them with the assistance that they need to become
22 productive members of society.

23 §5383. Goals

24 The goals of the Homelessness Court program created pursuant to this
25 Chapter include all of the following:

- 26 (1) To reduce drug abuse and alcoholism and dependency among offenders.
27 (2) To reduce the alcohol and drug-related workload of the courts.
28 (3) To reduce criminal recidivism.

1 (4) To diagnose undiagnosed mental health problems and to assist in the care
2 and treatment of diagnosed mental health illnesses.

3 (5) To increase the personal, familial, and societal accountability of
4 offenders.

5 (6) To reduce prison overcrowding.

6 (7) To provide employment and job training for those experiencing
7 homelessness.

8 (8) To provide housing assistance for those experiencing homelessness in
9 partnership with state, local, and federal housing authorities and nonprofit
10 organizations.

11 (9) To provide counseling services as necessary.

12 §5384. Definitions

13 For the purposes of this Chapter, the following terms have the following
14 meanings:

15 (1) "Homelessness Court program" means a program with all of the
16 following essential characteristics:

17 (a) The integration of health care, education, and housing assistance as well
18 as employment, job training, disability compensation counseling, and other
19 rehabilitative services in the processing of cases in the criminal justice system.

20 (b) Early identification and prompt placement of eligible participants in the
21 program for the purpose of making them program participants.

22 (c) The use of a nonadversarial approach involving prosecutors and defense
23 attorneys to promote public safety and protect the due process rights of program
24 participants.

25 (d) Access to continuum of alcohol, controlled substance, mental health,
26 suicide assessment, intervention, treatment and management, and other related
27 treatment and rehabilitative services.

28 (e) Careful monitoring of treatment and services provided to program
29 participants.

1 (f) A coordinated strategy to govern program responses to compliance of
2 participants.

3 (g) Ongoing judicial interaction with program participants.

4 (h) Monitoring and evaluation of program goals and effectiveness.

5 (i) Continuing interdisciplinary education to promote effective program
6 planning, implementation, and operations.

7 (j) Development of partnerships with public agencies and community
8 organizations, including but not limited to Louisiana Works, the United States
9 Department of Housing and Urban Development, and any other local, state, or
10 federal agency or organization that can provide assistance to participants.

11 (2) "Participant" means a person currently experiencing homelessness who
12 is subject to the jurisdiction of the homelessness court program. Participant may
13 also refer to a person, defendant, probationer, or offender in relation to the program.
14 §5385. The Homelessness Court program; administration; eligibility; stipulations

15 A. Each district court by rule may designate as a Homelessness Court
16 program one or more divisions of the district court to which participants are assigned
17 and may establish a probation program to be administered by the presiding judge or
18 judges thereof or by an employee designated by the court.

19 B. Participation in probation programs shall be subject to all of the following
20 provisions:

21 (1) The district attorney may propose to the court that a defendant be
22 screened for eligibility as a participant in the Homelessness Court program if all of
23 the following criteria are satisfied:

24 (a) The defendant is charged with a misdemeanor or felony violation of state
25 law and is determined to be a defendant experiencing homelessness.

26 (b) The district attorney has reason to believe that the defendant who is
27 charged may benefit by participating in the Homelessness Court program.

1 (c) The district attorney has reason to believe that it is in the best interest of
2 the community and in the interest of justice to provide the defendant with treatment
3 as opposed to incarceration or other sanctions.

4 (2) Upon receipt of the proposal provided in Paragraph (1) of this
5 Subsection, the court shall advise the defendant that he may be eligible for
6 enrollment in a court-authorized treatment program through the Homelessness Court
7 program.

8 (3)(a) If the defendant requests to undergo treatment and is accepted into the
9 Homelessness Court program, the defendant shall be placed under the supervision
10 of the Homelessness Court program for a period of not less than twelve months.

11 (b) During the treatment, the defendant may be confined in a treatment
12 facility or, at the discretion of the court, the defendant may be released on a
13 probationary basis for treatment or supervised aftercare in the community.

14 (c) The court may impose any conditions reasonably related to the complete
15 rehabilitation of the defendant.

16 (d) The defendant shall be required to participate in any court-ordered
17 alcohol and drug testing program at his own expense, unless the court determines
18 that he is indigent.

19 (e) If the defendant completes the Homelessness Court program and has
20 successfully completed all other requirements of his court-ordered probation, the
21 conviction may be set aside and the prosecution dismissed in accordance with Code
22 of Criminal Procedure Articles 893 and 894. A defendant's successful completion
23 of the Homelessness Court program and the other requirements of probation may
24 result in his discharge from supervision. If the defendant does not successfully
25 complete the Homelessness Court program, the judge may do any of the following:

26 (i) Revoke the probation and impose sentence.

27 (ii) Revoke the probation and order the defendant to serve the sentence
28 previously imposed and suspended.

1 (iii) Revoke the probation and order the defendant to be committed to the
2 custody of the Department of Public Safety and Corrections with a requirement that
3 the defendant serve a sentence of not more than six months without diminution of
4 sentence in the intensive incarceration program pursuant to R.S. 15:574.4.4 and
5 574.5, with return to the regular Homelessness Court docket upon completion of
6 sentence.

7 (iv) Impose any sanction provided by Code of Criminal Procedure Article
8 900 or extend probation and order that the defendant continue treatment for an
9 additional period, or both.

10 (4) The defendant has the right to be represented by counsel at all stages of
11 a criminal prosecution and in any court hearing relating to the Homelessness Court
12 program. The defendant shall be represented by counsel during the negotiations to
13 determine eligibility to participate in the Homelessness Court program and shall be
14 represented by counsel at the time of the execution of the probation agreement and
15 at any hearing pertaining to the revocation of the defendant's probation and discharge
16 from the program, unless the court finds and the record shows that the defendant has
17 knowingly and intelligently waived his right to counsel.

18 (5) If the defendant elects to undergo treatment and participate in the
19 Homelessness Court program, the court shall order an examination of the defendant
20 by one of the court's designated licensed treatment programs. Treatment programs
21 shall possess sufficient experience in working with criminal justice participants with
22 alcohol or drug addictions, mental health problems, or all of these matters, and shall
23 be certified and approved by this state. The designated treatment program shall
24 utilize standardized testing and evaluation procedures to determine whether or not
25 the defendant is an appropriate candidate for a treatment program and shall report
26 such findings to the court and the district attorney.

27 (6) The treatment program examiner or district attorney may request that the
28 defendant provide all of the following information to the court:

29 (a) Information regarding prior criminal charges.

- 1 (b) Education, work experience, and training.
- 2 (c) Family history, including residence in the community.
- 3 (d) Medical and mental history, including any psychiatric or psychological
4 treatment or counseling.
- 5 (e) Any other information reasonably related to the success of the treatment
6 program.
- 7 (7) The designated program shall recommend to the court a preliminary
8 length of stay and level of care for the defendant.
- 9 (8) In addition to the report submitted by the examiner, the judge and district
10 attorney shall consider the following factors in determining whether the
11 Homelessness Court program would be in the interest of justice and of benefit to the
12 defendant and the community:
- 13 (a) The nature of the crime charged and the circumstances surrounding the
14 crime.
- 15 (b) Any special characteristics or circumstances of the defendant.
- 16 (c) Whether the defendant is a first-time offender and the degree of success
17 attained if the defendant has previously participated in this program or a similar
18 program.
- 19 (d) Whether there is a probability that the defendant will cooperate with and
20 benefit from probation and treatment through the Homelessness Court program.
- 21 (e) Whether the available Homelessness Court program is appropriate to
22 meet the needs of the defendant.
- 23 (f) The impact of the defendant's probation and treatment upon the
24 community.
- 25 (g) Recommendations of the involved law enforcement agency, if any.
- 26 (h) Recommendations of the victim, if any.
- 27 (i) Provisions for and the likelihood of obtaining restitution from the
28 defendant over the course of his probation.
- 29 (j) Any mitigating circumstances.

1 (k) Any other circumstances reasonably related to the defendant's case.

2 (9) In order to be eligible for the Homelessness Court program, the defendant
3 shall satisfy each of the following criteria:

4 (a) The defendant shall not have a prior felony conviction for any of the
5 following:

6 (i) Homicide as defined in R.S. 14:29.

7 (ii) A sex offense as defined in R.S. 15:541.

8 (iii) Any pending criminal proceeding alleging commission of a crime of
9 violence as defined in R.S. 14:2(B) or a sex offense as defined in R.S. 15:541.

10 (b) The crime before the court is not a charge of driving while impaired by
11 alcohol or any other drug or drugs that resulted in the death of a person.

12 (10)(a) The judge shall make the final determination of eligibility. If, based
13 on the examiner's report and the recommendations of the district attorney and the
14 defense counsel, the judge determines that the defendant should be enrolled in the
15 Homelessness Court program, the court shall accept the defendant's guilty plea,
16 suspend or defer the imposition of sentence, and place the defendant on probation
17 under the terms and conditions of the Homelessness Court program. The court may
18 also impose and suspend the execution of sentence and place the defendant on
19 probation under the terms and conditions of the Homelessness Court program.

20 (b) If the judge determines that the defendant is not qualified for enrollment,
21 the judge may state for the record the reasons for that determination.

22 (c) A Homelessness Court program team or staff may petition the court to
23 reject a referral to the Homelessness Court program if the Homelessness Court
24 program team or staff deems the defendant to be inappropriate for admission to the
25 Homelessness Court program. Additionally, a Homelessness Court program team
26 or staff may petition the court for immediate discharge of any individual who fails
27 to comply with Homelessness Court program rules and treatment expectations or
28 who refuses to constructively engage in the treatment process.

1 C.(1) In offering a defendant the opportunity to request treatment, the court
2 shall advise the defendant of the following at the time of the guilty plea:

3 (a) If the defendant is accepted into the Homelessness Court program, then
4 the defendant shall waive the right to a trial. The defendant shall enter a plea of
5 guilty to the charge with the stipulation that his sentencing be deferred or that
6 sentence be imposed, but suspended, and the defendant placed on supervised
7 probation under the usual conditions of probation and under certain special
8 conditions of probation related to the completion of such treatment programs as are
9 ordered by the court. During participation in the program, the defendant shall be
10 subject to nonadversarially determined sanctions. All adversarial hearings shall
11 occur during probation violation hearings.

12 (b) The terms of each probation agreement shall be decided by the judge.
13 The defendant shall agree to enter the program and sign a probation agreement
14 stating the terms and conditions of his program. The defendant shall plead guilty to
15 the charge in order to be eligible for the Homelessness Court program.

16 (2) Any probation agreement entered into pursuant to this Section shall
17 include all of the following:

18 (a) The terms of the agreement, which shall provide for either of the
19 following:

20 (i) If the defendant fulfills the obligations of the agreement, as determined
21 by the court, then the criminal charges may be dismissed and the prosecution set
22 aside in accordance with Code of Criminal Procedure Articles 893 and 894.

23 (ii) If the defendant has been sentenced following the plea of guilty, then the
24 successful completion of the Homelessness Court program may result in the
25 discharge of the defendant from continued supervision.

26 (b) A waiver by the defendant of the right to trial by jury under the
27 Constitution of Louisiana, the Constitution of the United States, and applicable laws.

28 (c) The defendant's full name.

1 (d) The defendant's full name at the time the complaint was filed, if different
2 from the defendant's current name.

3 (e) The defendant's sex and date of birth.

4 (f) The crime before the court.

5 (g) The date the complaint was filed.

6 (h) The court in which the agreement was filed.

7 (i) A stipulation of the facts upon which the charge was based, as agreed to
8 by the defendant and the district attorney.

9 (j) A provision that the defendant may be required to pay a probation
10 supervision fee if ordered by the court.

11 (k) A provision, in cases where applicable, that the defendant may be
12 required to pay restitution to the victim.

13 (l) A provision that the defendant, if ordered by the court, shall participate
14 in appropriate job training or schooling or seek gainful employment once the
15 defendant is receiving treatment as an outpatient or living in a halfway house.

16 (m) A copy of the plea agreement.

17 (3) To the extent of his financial resources, a defendant who is placed under
18 the supervision of the Homelessness Court program may be required to pay a portion
19 of or the entire cost of the treatment program to which he is assigned and the cost of
20 any additional supervision that may be required, as determined by the Homelessness
21 Court program.

22 (4) If the defendant does not have the financial resources to pay all the
23 related costs of the probation program, any of the following may occur:

24 (a) The court, to the extent practicable, shall arrange for the defendant to be
25 assigned to a treatment program funded by the state or federal government.

26 (b) The court, with the recommendation of the treatment program, may order
27 the defendant to perform supervised work for the benefit of the community in lieu
28 of paying all or a part of the costs relating to his treatment and supervision. The
29 work shall be performed for and under the supervising authority of a parish,

1 municipality, or other political subdivision or agency of this state or a charitable
2 organization that renders service to the community or its residents.

3 (c) Any and all fees may be waived at the discretion of the court.

4 D.(1) When appropriate, the imposition or execution of sentence shall be
5 postponed while the defendant is enrolled in the treatment program. The defendant
6 shall remain on probation as long as he follows the conditions of his agreement.

7 (2) The district attorney, at the conclusion of the period of probation and on
8 advice of the person providing the defendant's treatment and the probation officer,
9 may recommend that the court take one of the following courses of action:

10 (a)(i) Revoke the defendant's probation and sentence the defendant because
11 he has not successfully completed the treatment and has violated one or more
12 conditions of probation.

13 (ii) If the defendant has already been sentenced, revoke the probation and
14 remand the defendant to the appropriate custodian for service of that sentence.

15 (b) Extend the period of probation so that the defendant may continue the
16 program.

17 (c) Set aside the defendant's conviction and dismiss the prosecution because
18 the defendant has successfully completed all the conditions of his probation and
19 treatment agreement.

20 (3) The district attorney shall make the final determination on whether to
21 request revocation, extension, or dismissal.

22 (4)(a) The treatment supervisor, probation officer, or the district attorney
23 may file a motion with the court to request a hearing to determine if the defendant
24 may remain in the program or whether the probation may be revoked and the
25 defendant be removed from the program and sentenced or ordered to serve any
26 sentence previously imposed if either of the following occur:

27 (i) The defendant enrolled in a program violates any condition of his
28 probation or his treatment agreement.

1 (ii) The defendant appears to be performing unsatisfactorily in the assigned
2 program.

3 (b) The defendant may be removed from the program or his treatment
4 agreement may be changed to meet the defendant's specific needs if, at the hearing,
5 the moving party shows sufficient proof that the defendant has violated his probation
6 or his treatment agreement and has not shown a willingness to submit to
7 rehabilitation.

8 (c) If the court finds that the defendant has violated a condition of his
9 probation or a provision of his probation agreement and that the defendant should be
10 removed from the probation program, the court may do either of the following:

11 (i) Revoke the probation and sentence of the defendant in accordance with
12 his guilty plea.

13 (ii) If the defendant has been sentenced and the sentence suspended, order
14 the defendant to begin serving the sentence.

15 (d) A defendant who has been admitted to the probation program, fails to
16 complete the program, and is then sentenced to jail time for the offense shall receive
17 credit for the time served in any correctional facility in connection with the charge
18 before the court.

19 (e) The defendant, his probation officer, the district attorney, or his treatment
20 provider may petition the court at any time and for any appropriate reason to
21 reconsider, suspend, or modify its order for rehabilitation or treatment concerning
22 that defendant.

23 (f) The burden of proof at all such hearings shall be the burden of proof
24 required to revoke probation as provided by law.

25 E. The appropriate treatment program shall report the following changes or
26 conditions to the district attorney at any periodic reporting period specified by the
27 court:

28 (1) The defendant is changed from an inpatient to an outpatient.

29 (2) The defendant is transferred to another treatment center or program.

1 (3) The defendant fails to comply with program rules and treatment
2 expectations.

3 (4) The defendant refuses to engage constructively in the treatment process.

4 (5) The defendant terminates his participation in the treatment program.

5 (6) The defendant is rehabilitated or has obtained the maximum benefits of
6 rehabilitation or treatment.

7 F. The judge, after receiving the recommendation from the district attorney
8 upon the defendant's successful completion of the Homelessness Court program and
9 its terms and conditions, may vacate the judgment of conviction and dismiss the
10 criminal proceedings against the defendant or may discharge the defendant from
11 probation in accordance with Code of Criminal Procedure Articles 893 or 894.

12 G. Discharge and dismissal pursuant to this Chapter, as provided in Code of
13 Criminal Procedure Articles 893 and 894, shall have the same effect as an acquittal,
14 except that the conviction may be considered in order to provide the basis for
15 subsequent prosecution of the party as a multiple offender and shall be considered
16 as an offense for the purposes of any other law or laws relating to cumulation of
17 offenses. Dismissal pursuant to this Chapter shall occur only once with respect to
18 any defendant. Nothing in this Chapter shall be construed as a basis for the
19 destruction of records of the arrest and prosecution of the defendant.

20 H. Nothing contained in this Chapter confers a right or an expectation of a
21 right to treatment for a defendant or offender within the criminal justice system.

22 I. Each defendant shall contribute to the cost of any treatment received in the
23 Homelessness Court program based upon guidelines developed by the Homelessness
24 Court program. Any and all fees may be waived at the discretion of the court.

25 J. Each judicial district that establishes a Homelessness Court probation
26 program shall adopt written policies and guidelines for the implementation of a
27 probation program in accordance with this Chapter. The policies and guidelines
28 shall include provisions concerning all of the following:

1 (1) How to examine the defendant initially to determine if he is qualified for
2 enrollment.

3 (2) How to advise the defendant of the program if the court has reason to
4 believe the defendant may suffer from alcohol or drug addiction or mental health
5 problems or illnesses.

6 (3) What licensed treatment programs are certified by the court.

7 K. Each Homelessness Court program shall develop a method of evaluation
8 so that its effectiveness can be measured. These evaluations shall be compiled
9 annually and transmitted to the judicial administrator of the Louisiana Supreme
10 Court.

11 L.(1) Except as otherwise provided by law, the registration and other records
12 of a treatment facility are confidential and shall not be disclosed to any person not
13 connected with the treatment facility or the Homelessness Court program and district
14 attorney without the consent of the patient.

15 (2) The provisions of Paragraph (1) of this Subsection do not restrict the use
16 of patients' records for the purpose of research into the cause and treatment of
17 alcoholism and drug addiction and mental health illnesses, provided that such
18 information shall not be published in a way that discloses the patient's name and
19 identifying information.

20 M. No statement or any information procured with respect to the specific
21 offenses of which the defendant is charged, which is provided to any probation
22 officer or program treatment worker subsequent to the granting of probation, shall
23 be admissible in any civil or criminal action or proceeding, except a Homelessness
24 Court program probation revocation proceeding.

25 N. A record of the fact that a defendant has participated in a Homelessness
26 Court program shall be sent to the office of the attorney general and shall be made
27 available upon request to any district attorney for the purpose of determining
28 previous participation in a Homelessness Court program.

1 §5386. Dismissal of certain criminal charges upon completion of Homelessness

2 Court probation program

3 A. Notwithstanding any other provision of law to the contrary and when it
4 appears that the best interests of the public and of the defendant will be served, the
5 court may, with the prior approval of the district attorney, defer proceedings and
6 place any defendant eligible for participation in a Homelessness Court program on
7 probation with reasonable terms and conditions as may be required by the court and
8 in accordance with the provisions of this Chapter.

9 B. Upon the defendant's violation of any of the terms or conditions of his
10 probation, the court may revoke his probation, enter an adjudication of guilt, and
11 impose sentence upon the defendant. The entering of the adjudication of guilt shall
12 be retroactive to the date the defendant pled guilty or was convicted pursuant to
13 Subsection A of this Section, but the imposition or execution of sentence shall not
14 be retroactive.

15 C. The court shall discharge the defendant and dismiss the proceedings
16 against him upon fulfillment of the terms and conditions of probation imposed in
17 accordance with this Section.

18 D. The discharge and dismissal of charges pursuant to this Section shall be
19 without court adjudication of guilt and shall not be deemed a conviction for purposes
20 of disqualifications or disabilities imposed by law upon conviction of a crime,
21 including the additional penalties imposed for second or subsequent convictions
22 pursuant to R.S. 40:982. The discharge and dismissal of charges pursuant to this
23 Section may occur only once with respect to any defendant.

24 Section 2. R.S. 14:107.6 is hereby enacted to read as follows:

25 §107.6. Unauthorized camping on public property

26 A. Unauthorized camping on public property is the intentional use of any
27 tent, shelter, or bedding constructed or arranged for the purpose of or in such a way
28 to permit overnight use on public property that is not a designated camp ground.

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 in Subsection B of this Section, no political
15 subdivision shall 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 all of 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 notify the department within ten days of
6 designating property for public camping in accordance with procedures established
7 by the department.

8 C.(1) If a political subdivision designates property of the political
9 subdivision or municipality to be used for public camping, it shall establish and
10 maintain minimum standards and procedures related to the designated property for
11 all of the following purposes:

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

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

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

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

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

26 D. The department may inspect a designated property at any time and the
27 secretary may provide notice to the political subdivision with a recommendation that
28 the designated property be closed if he determines that the requirements of this
29 Section are no longer satisfied or if the surgeon general determines that there is a

1 (6) R.S. 13:1905, 2593, 3715.3, 3715.4, 3734, 4687, 5108.1, 5304, 5366(L),

2 5385(L)

3 * * *

4 Section 5. This Act shall be known and may be cited as the "Streets to Success Act."

5 Section 6. This Section and Sections 1, 2, 4, 5, and 7 of this Act shall become
6 effective upon signature by the governor or, if not signed by the governor, upon expiration
7 of the time for bills to become law without signature by the governor, as provided by Article
8 III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently
9 approved by the legislature, this Act shall become effective on the day following such
10 approval.

11 Section 7. The provisions of Section 3 of this Act shall become effective on January
12 1, 2027.

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 211 Engrossed

2026 Regular Session

Villio

Abstract: Provides relative to the creation, administration, and eligibility requirements of the Homelessness Court program.

Proposed law authorizes each district court by rule to designate one or more divisions as a Homelessness Court program to which participants are assigned. Further permits each district court to establish a probation program to be administered by the presiding judge or judges thereof or by an employee designated by the court.

Proposed law defines "Homelessness Court program" and "participant".

Proposed law provides for all of the following relative to the program:

- (1) The purpose, goals, and creation.
- (2) Participation eligibility, screening, and assessments.
- (3) Probationary and program conditions.
- (4) The right of the defendant to be represented by legal counsel in all hearings.
- (5) The duties of the defendant, the court, and of the district attorney.
- (6) Disposition of the defendant upon satisfactory completion of or failure to complete the program.

Proposed law creates the crime of unauthorized camping on public property and provides that this crime is the intentional use of any tent, shelter, or bedding constructed or arranged for the purpose of or in such a way to permit overnight use on public property that is not a designated camp ground.

Proposed law defines "designated camp grounds" and "public property".

Proposed law provides for penalties as follows:

- (1) On a first conviction, a fine of not more than \$500, imprisonment for not more than six months, or both.
- (2) On a second or subsequent conviction, a fine of not more than \$1,000 and imprisonment with or without hard labor for not less than one year nor more than two years.

Proposed law provides that an offender who violates proposed law may be eligible for the Homelessness Court program, if such a program is available in the jurisdiction and the offender meets all of the requirements set forth in proposed law for participation in the program.

Proposed law provides for a statement of legislative intent and defines "department" with respect to the La. Dept. of Health (LDH) and "public camping".

Proposed law prohibits any political subdivision from permitting or otherwise allowing 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 authorizes a political subdivision, by majority vote of the political subdivision's governing body, to 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 certain conditions.

Proposed law provides for duties of the LDH.

Proposed law requires the political subdivision to notify the LDH within 10 days of designating property for public camping in accordance with procedures established by LDH.

Proposed law requires a political subdivision to establish and maintain minimum standards and procedures for certain enumerated purposes related to any political subdivision or municipal property that is designated for public camping. Further provides for dissemination of these minimum standards and procedures on the website of the political subdivision within 30 days of designation.

Proposed law provides for duties of the state fire marshal.

Present law (R.S. 44:4.1(B)(6)) provides for a list of exemptions from public disclosure of certain information contained in present law (Title 13 of the La. R.S.).

Proposed law retains present law and adds the registration and other records of a treatment facility pertaining to the Homelessness Court program.

Proposed law relative to the Homelessness Court program, the crime of unauthorized camping on public property, and the public records exception becomes effective upon the governor's signature.

Proposed law relative to the prohibition, procedures, and enforcement pertaining to public camping becomes effective on Jan. 1, 2027.

(Amends R.S. 44:4.1(B)(6); Adds R.S. 13:5381-5386, R.S. 14:107.6, and R.S. 40:581.1-582)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Judiciary to the original bill:

1. Authorize LDH to promulgate and adopt regulations regarding licensed group homes.
2. Eliminate enforcement provisions permitting parties to bring a civil action and receive awards of penalties, attorney fees, and expenses against a political subdivision or municipality to enjoin a violation of law.
3. Provide respective effective dates of proposed law.