



2025-2026 General Assembly

HOUSE BILL 437: Drug-Free Zones/Unauthorized Public Camping, Sec. 2: Unauthorized Public Camping

Analysis of: House Bill 437 (Ratified) , Sec. 2

Date: August 21, 2026

Prepared by: Legislative Analysis
Division Staff

Section 2 of House Bill 437 would have done the following:

- Defined "public camping or sleeping."
- Prohibited a local government from authorizing or otherwise allowing any person to regularly engage in public camping or sleeping on any public property.
- Permitted, by majority vote of the local government's governing board, the designation of property owned by the local government to be used for a continuous period of no longer than one year for the purposes of public camping or sleeping. The local government would have been required to establish and maintain minimum standards and procedures for the purposes of:
 - Ensuring the safety and security of the designated property and the people lodging or residing on the property.
 - Maintaining sanitation.
 - Coordinating with the appropriate department, agency, or entity to provide access to behavioral health services, which must include substance abuse and mental health treatment resources.
 - Prohibiting illegal substance use and alcohol use.
- Provided that the local government's designation of property for camping or sleeping would not have become effective until certified by the Department of Labor (Department). To obtain certification, the local government would have been required to submit a request to the Commissioner of Labor documenting proof of certain conditions.
- Required the Department to certify the designated property within 45 days after the receipt of complete submission from the local government. If the Department took no action, the designated property would have been deemed certified on the 45th day.
- Required that the local government publish the required minimum standards and procedures on the local government's website within 30 days after certification of the designated property.
- Provided that the Department could inspect any designated property at any time and had to provide notice to the local government recommending closure of the designated property if the requirements for public camping and sleeping on designated property were no longer satisfied. A local government would have been required to publish any notice recommending closure on the local government's website not later than five business days after receipt of the notice.

Kara McCraw
Director



Legislative Analysis
Division
919-733-2578

House Bill 437

Page 2

- Provided that any resident or business owner of the local government, or the Attorney General, could bring a civil action against the local government to enjoin a violation of the requirements for public camping or sleeping on designated property.
- Required that an application for an injunction be accompanied by an affidavit attesting to certain information.
- Provided that the prohibition on public camping or sleeping without designation of property for that purpose would not apply during a period in which the Governor or a local government has declared a state of emergency.
- Required the Department, by June 30, 2027, to adopt rules necessary to implement these provisions.

House Bill 437 was ratified by the General Assembly on July 1, 2026, and vetoed by the Governor on July 8, 2026.