



HOUSE BILL 781: Unauthorized Public Camping & Sleeping.

2025-2026 General Assembly

Committee:	House State and Local Government. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	May 6, 2025
Introduced by:	Reps. Biggs, N. Jackson, Balkcom, Schietzelt	Prepared by:	Ike McRee
Analysis of:	PCS to First Edition H781-CSCO-13		Committee Co-Counsel

OVERVIEW: *The proposed committee substitute (PCS) for House Bill 781 would make technical corrections for clarity and conformity. The PCS would also, except as otherwise provided, prohibit a local government's authorization for any person to regularly engage in public camping or sleeping on public property.*

BILL ANALYSIS:

The PCS for House Bill 781 would do the following:

- Define "public camping or sleeping" as "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 would 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.
- Prohibit a local government from authorizing or otherwise allowing any person to regularly engage in public camping or sleeping on any public property.
- Permit, 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 be 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 county health department to provide access to behavioral health services.
 - Prohibiting illegal substance use and alcohol use.
- Provide that the local government's designation of property for camping or sleeping would not become effective until certified by the North Carolina Department of Health and Human Services ("Department"). To obtain certification, the local government would be required to submit a

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request to the Secretary of the Department which shall include documentation proving all of the following:

- There are not sufficient beds open in homeless shelters in the local government.
 - The designated property is not contiguous to property zoned for residential use by the local government.
 - 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 affect the safety of children.
 - The local government has developed a plan to satisfy the required minimum standards and procedures.
- Require the Department to certify the designated property within 45 days after the receipt of complete submission from the local government. If the Department takes no action, the designated property would be deemed certified on the forty-fifth day.
 - Require 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.
 - Provide that the Department can inspect any designated property at any time and can provide notice to the local government recommending closure of the designated property requirements for public camping and sleeping on designated property are no longer satisfied. A local government would be required to publish any notice recommending closure on the local government's website not later than five business days after receipt of the notice.
 - Provide that any resident or business owner of the unit, or the Attorney General, can bring a civil action against the local government to enjoin a violation of requirements for public camping or sleeping on designated property.
 - Require that an application for an injunction be accompanied by an affidavit attesting to all of the following:
 - The applicant has provided written notice of the alleged violation to the local government's governing board.
 - The applicant has provided the local government with five business days to cure the alleged violation.
 - 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.
 - Provide that the prohibition on public camping or sleeping without designation of property for that purpose would not apply during a period in which (i) the Governor has declared a state of emergency under G.S. 166A-19.20 or (ii) a local government has declared a state of emergency under G.S. 166A-19.22.:

EFFECTIVE DATE: The act would become effective October 1, 2025.

Hannah Kendrick, Staff Attorney with the Legislative Analysis Division, substantially contributed to this summary.