



# HOUSE BILL 781: Unauthorized Public Camping & Sleeping.

2025-2026 General Assembly

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<b>Committee:</b>	House Judiciary 2. If favorable, re-refer to State and Local Government. If favorable, re-refer to Rules, Calendar, and Operations of the House	<b>Date:</b>	April 29, 2025
<b>Introduced by:</b>	Reps. Biggs, N. Jackson, Balkcom, Schietzelt	<b>Prepared by:</b>	Hannah Kendrick
<b>Analysis of:</b>	First Edition		Staff Attorney

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**OVERVIEW:** *House Bill 781 would prohibit unauthorized public camping or sleeping in local government units of the State.*

## BILL ANALYSIS:

House Bill 781 would define a local government unit as a county or municipality.

Public camping or sleeping would be defined 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 or (ii) camping for recreational purposes on property designated for those purposes.

A local government unit ("unit") would be prohibited from allowing any person to regularly engage in public camping or sleeping on any public property.

The governing body of a unit would be permitted to, by majority vote, designate property owned by the unit to be used for a continuous period of no longer than one year for the purposes of public camping or sleeping. The unit 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 persons 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.

The unit's designation of property would not become effective until certified by the North Carolina Department of Health and Human Services ("Department"). To obtain certification, the unit would be required to submit a request to the Secretary of the Department which shall include documentation proving all of the following:

- There are not sufficient open beds in homeless shelters in the unit.
- The designated property is not contiguous property zoned for residential use by the unit.

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- 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 unit and would not affect the safety of children.
- The unit has developed a plan to satisfy the minimum standards and procedures prescribed by these provisions.

Within the 10 days after receipt of the request, the Department would notify the unit of any errors or omissions in the request. The Department would be required to certify the designation within 45 days after the receipt of a complete submission from the unit. If the Department takes no action, the designation would be deemed certified on the forty-fifth day.

Within 30 days after certification, the unit would be required to publish the minimum standards and procedures required by these provisions on the unit's website.

The Department could inspect any designated property at any time, and would provide notice to the unit recommending closure of the designated property if the requirements are no longer satisfied. A unit would publish any notice recommending closure on the unit's website not later than five business days after receipt of the notice.

Any resident or business owner of the unit, or the Attorney General, would be permitted to bring a civil action against the unit to enjoin a violation of these provisions. An application for an injunction under these provisions would be accompanied by an affidavit attesting to all of the following:

- The applicant has provided written notice of the alleged violation to the unit.
- The applicant has provided the unit with five business days to cure the alleged violation.
- The county or municipality 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.

These provisions would not apply during any time period in which:

- The Governor has declared a state of emergency pursuant to G.S. 166A-19.20.
- A unit has declared a state of emergency pursuant to G.S. 166A-19.22.

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