
DIGEST

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HB 619 Engrossed

2025 Regular Session

Knox

Abstract: Allows public camping and temporary outdoor habitation under certain circumstances.

Proposed law defines "department" and "public camping".

Proposed law provides that a political subdivision shall not knowingly authorize or otherwise allow any person to regularly engage in public camping on public property on consecutive nights, 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 allows a political subdivision to, 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 no longer than one year for the purposes of public camping subject to the following conditions:

- (1) There are not sufficient open beds in homeless shelters in the political subdivision for the homeless population of the political subdivision.
- (2) 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.
- (3) 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.

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

Proposed law requires that prior to clearing any existing encampments, the local governing authority shall present notice in accordance with applicable local laws surrounding the encampment that it will be cleared 30 days before clearing.

Proposed law provides that if a political subdivision designates 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:

- (1) Ensuring the safety and security of the designated property and the persons lodging or

residing on the property.

- (2) Maintaining sanitation, including but not limited to providing access to clean and operable restrooms and running water.
- (3) 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.
- (4) Prohibiting illegal substance use on the designated property and enforcing such prohibition.

Proposed law requires the political subdivision, within 30 days after designating property for public camping, to publish the minimum standards and procedures on the political subdivision's website. Proposed law further requires the political subdivision and municipality to continue to make policies and procedures publicly available for as long as any political subdivision property remains designated for public camping.

Proposed law allows LDH to inspect a designated property at any time and that the secretary may provide notice to the political subdivision recommending closure of the designated property if he determines that the requirements are no longer satisfied or if the surgeon general determines that there is a public health threat or emergency department on the political subdivision's website within five days after receipt of the notice.

Proposed law allows a resident of the political subdivision residing within 1,000 feet of a public encampment not in a designated area, an owner of a business located in the political subdivision located within 1,000 feet of a public encampment not in a designated area, a nonprofit organization located within 1,000 feet of a public encampment not in a designated area or the district attorney to bring a civil action in any court of competent jurisdiction against the political subdivision or applicable municipality for violation of proposed law.

Proposed law allows civil actions brought pursuant to proposed law to be cumulated per site. Proposed law also allows a new cause of action to be triggered if an encampment is cleared within 90 days of a filed civil action and a new encampment is built within three days thereafter.

Proposed law provides that an application for injunction filed pursuant to proposed law shall be accompanied by an affidavit attesting to all of the following:

- (1) The applicant has provided written notice of the alleged violation of proposed law to the governing authority of the political subdivision or applicable municipality.
- (2) The applicant has provided the political subdivision or applicable municipality with 90 business days to cure the alleged violation.
- (3) The political subdivision has failed to take all reasonable actions within the limits of its governmental authority to cure the alleged violation within 90 business days after receiving written notice of the alleged violation.

Proposed law provides that LDH shall promulgate rules to establish minimum housing standards for emergency shelters, community facilities, group homes, and halfway houses.

Proposed law states that the minimum housing standards shall consider critical aspects such as safety, sanitation, privacy, and habitability.

Proposed law directs the state fire marshal to assist in the implementation proposed law by conducting inspections of emergency shelters, community facilities, group homes, and halfway houses to verify that the housing options available to individuals experiencing homelessness are safe and sanitary.

Proposed law creates the Encampment Mitigation Reimbursement Fund in which funds will be used solely for reimbursement grants to a political subdivision or municipality for compliance with the provisions of present law.

Proposed law establishes the oversight of publicly funded homeless service providers and requires that any continuum of care organization or homeless services provider that receives state or local public funds shall upon request submit to the legislative auditor pursuant to present law (R.S. 24:513) and provide the requesting municipality with documentation regarding:

- (1) Program performance metrics, including housing outcomes and service delivery statistics
- (2) Effectiveness in achieving stated goals and objectives
- (3) A breakdown of the use and allocation of public funds

Proposed law states that failure to comply with the provisions of proposed law may result in the suspension or termination of public funding, subject to applicable laws and contract provisions.

Proposed law allows LDH in consultation with the office of state fire marshal to promulgate rules to establish minimum housing standards for emergency shelters, community facilities, group homes, and halfway houses.

Proposed law establishes that the fire marshal shall assist in the implementation of the provisions of proposed law by conducting annual inspections of emergency shelters, community facilities, group homes, and halfway houses to verify that the housing options available to individuals experiencing homelessness are safe and sanitary.

Proposed law directs LDH to submit waivers to the Centers for Medicare and Medicaid Services to obtain funding to provide healthcare and housing services to individuals who are experiencing homelessness.

The provisions of proposed law shall be inapplicable, inoperative, and of no effect after June 1, 2029.

Effective June 1, 2026.

(Adds R.S. 40:581.1-582)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Require political subdivisions to notify LDH within 10 days of designating property for public camping in accordance with procedures established by LDH.
2. Require that within 30 days after designating property for public camping, the political subdivision shall publish the minimum standards and procedures on the political subdivision's website.
3. Provide that a resident of the political subdivision residing within 1,000 feet of a public encampment not in a designated area, an owner of a business located in the political subdivision located within 1,000 feet of a public encampment not in a designated area, a nonprofit organization located within one thousand feet of a public encampment not in a designated area or the district attorney to bring a civil action in any court of competent jurisdiction against the political subdivision or applicable municipality for violation.
4. Change the 10-day requirement to a 90-day requirement to cure a violation.
5. Create the Encampment Mitigation Reimbursement Fund which establishes how monies in the fund shall be used and how monies are invested in the fund.
6. Establish the oversight of publicly-funded homeless service providers and require that any continuum of care organization or homeless service provider that receives state or local public funds shall provide certain information.