

## HOUSE SUMMARY OF SENATE AMENDMENTS

HB 211

2026 Regular Session

Villio

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

### Synopsis of Senate Amendments

1. Modifies proposed law to designate violations of proposed law as misdemeanor offenses.
2. Provides that the immunity within present law (R.S. 9:2798.1), relative to policymaking or discretionary acts or omissions of public entities or their officers or employees, applies to the good-faith enforcement, investigation, citation, or prosecution by a political subdivision or its officers or employees of a defendant's alleged violation of proposed law, relative to a program participant's terms or conditions of probation.
3. Provides that an offender who violates proposed law, relative to unauthorized camping on public property, may be eligible for participation in a Veterans Court program if such a program is available in the jurisdiction and the offender meets all of the requirements for participation.
4. Clarifies that a political subdivision may designate its property to be used for the purposes of public camping for a period of one year, subject to annual redesignation.
5. Provides for a limitation of liability and procedures for removal and storage of property.
6. Defines the terms "covered entity", "covered services", "designated property", "service provider", and "volunteer".
7. Makes technical changes.

### Digest of Bill as Finally Passed by Senate

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.
- (7) Immunity for a political subdivision or its officers or employees, based on a policymaking or discretionary act within the meaning of present law (R.S. 9:2798.1), for the good-faith enforcement, investigation, citation, or prosecution of an alleged violation of the defendant's terms or conditions of probation.

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 campground.

Proposed law defines "designated campgrounds" and "public property".

Proposed law provides for an offender of proposed law to be fined up to \$500, imprisoned for up to six months, or both.

Proposed law provides that an offender who violates proposed law may be eligible for the Homelessness Court program or Veterans 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 period of one year and which may be redesignated annually for the purposes of public camping subject to certain conditions.

Proposed law provides for duties of LDH and requires a political subdivision to notify 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 a limitation of liability and procedures for removal and storage of property. Further defines the terms "covered entity", "covered services", "designated property", "service provider", and "volunteer".

Proposed law does not limit any claim arising under the La. Constitution, the U.S. Constitution, or federal law (42 U.S.C. 1983) and is in addition to the immunities referenced in proposed law and any other applicable immunity, indemnity, or limitation of liability under law.

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)