

HOUSE BILL No. 1431

DIGEST OF INTRODUCED BILL

Citations Affected: IC 33-23-16-13; IC 35-52-36-0.5; IC 36-1-31.5.

Synopsis: Street camping. Prohibits an individual from camping, sleeping, or using for long term shelter land owned by the state or a political subdivision, unless the land has been authorized for that use by law. Provides, if certain elements are met, that a person who knowingly or intentionally uses land owned by the state or a political subdivision for unauthorized camping, sleeping, or long term shelter commits a Class C misdemeanor. Allows an individual to be referred to a problem solving court program for a violation. Prohibits a political subdivision from adopting or enforcing any policy that prohibits or discourages the enforcement of any order or ordinance prohibiting public camping, sleeping, or other obstruction of a sidewalk. Authorizes a resident of the political subdivision, an owner of a business located in the political subdivision, or the attorney general to bring a civil action to enjoin a political subdivision that adopts or enforces such a policy.

Effective: July 1, 2026.

Miller D

January 8, 2026, read first time and referred to Committee on Courts and Criminal Code.



Second Regular Session of the 124th General Assembly (2026)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2025 Regular Session of the General Assembly.

HOUSE BILL No. 1431

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 33-23-16-13, AS AMENDED BY P.L.51-2024,
2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]: Sec. 13. An individual is eligible to participate in a
4 problem solving court program only if:
5 (1) the individual meets all of the eligibility criteria established by
6 the board under section 12 of this chapter;
7 (2) the judge of the problem solving court approves the admission
8 of the individual to the problem solving court program; and
9 (3) the individual is referred to the problem solving court as a
10 result of at least one (1) of the following:
11 (A) A condition of a pretrial diversion program authorized by
12 statute or authorized by the judge of the problem solving court
13 and the prosecuting attorney.
14 (B) The procedure described in section 14 of this chapter.
15 (C) The procedure described in section 15 of this chapter.
16 (D) A condition of probation.
17 (E) A condition of participation in a community corrections



program under IC 11-12-1.

(F) A condition of participation in a forensic diversion program under IC 11-12-3.7.

(G) A condition of a community transition program under IC 11-10-11.5.

(H) A condition of parole.

(I) An order in a dispositional decree under IC 31-34-20 to participate in a family dependency drug court if the individual is a parent, guardian, or another household member of a child adjudicated a child in need of services.

(J) A condition of an informal adjustment program under IC 31-37-9.

(K) Involvement in:

- (i) a child in need of services proceeding;
- (ii) a child support proceeding;
- (iii) a mental health commitment; or
- (iv) a civil protection proceeding.

(L) A condition of an informal adjustment program under IC 31-34-8.

(M) A condition of a misdemeanor sentence.

(N) A condition of a program authorized by the:

- (i) judge of a problem solving court; and
- (ii) department of correction or the county sheriff.

(O) A violation under IC 36-1-31.5-1.

SECTION 2. IC 35-52-36-0.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 0.5. IC 36-1-31.5-1 defines a crime concerning the unauthorized use of land owned by the state or a political subdivision to camp, sleep, or use for long term shelter.**

SECTION 3. IC 36-1-31.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:

Chapter 31.5. Prohibition of Street Camping

Sec. 1. (a) A person may not camp, sleep, or use for long term shelter land owned by the state or a political subdivision, unless the land has been authorized for that use by law.

(b) If:

- (1) a person violates subsection (a); and**
 - (2) the person has not previously violated subsection (a);**
- the law enforcement officer who discovers the violation shall first give the person a warning and offer to transport the person to a**



1 location authorized by law to receive services or shelter.

2 (c) A person who knowingly or intentionally violates subsection
3 (a) after:

4 (1) having first received a warning under subsection (b); and

5 (2) twenty-four (24) hours have elapsed since the warning was
6 given under subsection (b);

7 commits a Class C misdemeanor.

8 Sec. 2. (a) A political subdivision shall not adopt or enforce any
9 policy under which the political subdivision prohibits or
10 discourages the enforcement of any order or ordinance prohibiting
11 public camping, sleeping, or other obstruction of a sidewalk.

12 (b) In compliance with subsection (a), a political subdivision
13 shall not prohibit or discourage a law enforcement officer or
14 prosecuting attorney who is employed by or otherwise under the
15 direction or control of the political subdivision from enforcing any
16 order or ordinance prohibiting public camping, sleeping, or other
17 obstruction of a sidewalk.

18 (c) A resident of the political subdivision, an owner of a business
19 located in the political subdivision, or the attorney general may
20 bring a civil action in any court with jurisdiction against any
21 political subdivision to enjoin the political subdivision from
22 violating this section.

23 (d) The attorney general may recover reasonable expenses
24 incurred in any civil action brought under this section, including
25 court costs, reasonable attorney's fees, investigative costs, witness
26 fees, and deposition costs.

27 Sec. 3. This chapter does not prohibit a policy of any political
28 subdivision that encourages diversion programs or offering of
29 services in lieu of a citation or arrest.

