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SENATE BILL No. 285

Proposed Changes to introduced printing by AM028503

DIGEST OF PROPOSED AMENDMENT

Prosecuting attorney. Removes a prosecuting attorney as an entity described as being employed by or under the direction or control of a political subdivision.

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 5-20-1-28 IS ADDED TO THE INDIANA CODE
2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2026]: **Sec. 28. (a) The authority shall establish eligibility**
4 **criteria, in accordance with federal law, for a potential recipient to**
5 **be included in the authority's application for funding under the**
6 **federal Continuum of Care program (24 CFR Part 578).**

7 (b) On an annual basis and in a manner prescribed by the
8 authority, each recipient of funds distributed by the authority
9 under the federal Continuum of Care program (24 CFR Part 578)
10 shall submit a report to the authority summarizing:

11 (1) information concerning the recipient's efforts to address
12 unsheltered homelessness; and

13 (2) whether the recipient reduced unsheltered homelessness.

14 SECTION 2. IC 10-11-2-36 IS ADDED TO THE INDIANA
15 CODE AS A NEW SECTION TO READ AS FOLLOWS
16 [EFFECTIVE JULY 1, 2026]: **Sec. 36. Not later than July 1 of each**
17 **year, the state police department shall provide to the Indiana**
18 **housing and community development authority the information**
19 **received under IC 36-1-31.5-4.**

20 SECTION 3. IC 35-52-36-0.5 IS ADDED TO THE INDIANA

2026

IN 285—LS 7097/DI 147



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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 4. 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 location authorized by law to receive services or shelter, including a facility authorized to receive an individual under IC 12-26-5.

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

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

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

commits a Class C misdemeanor.

(d) A person charged with an offense under subsection (c) is eligible to participate in a diversion program, including a forensic diversion program under IC 11-12-3.7.

Sec. 2. The court may refer a person charged with an offense under section 1 of this chapter for evaluation and treatment under IC 33-23-18-6.

Sec. 3. (a) A political subdivision shall not adopt or enforce any policy under which the political subdivision prohibits or discourages the enforcement of any order or ordinance prohibiting public camping, sleeping, or other obstruction of a sidewalk.

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

(c) A resident of the political subdivision, an owner of a



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1 business located in the political subdivision, or the attorney general
2 may bring a civil action in any court with jurisdiction against any
3 political subdivision to enjoin the political subdivision from
4 violating this section.

5 (d) The attorney general may recover reasonable expenses
6 incurred in any civil action brought under this section, including
7 court costs, reasonable attorney's fees, investigative costs, witness
8 fees, and deposition costs.

9 Sec. 4. Not later than March 1 of each year, each local law
10 enforcement agency shall provide to the state police department
11 the number of arrests made for violations of section 1 of this
12 chapter by the law enforcement agency during the preceding
13 calendar year.

14 Sec. 5. This chapter does not prohibit a policy of any political
15 subdivision that encourages diversion programs or offering of
16 services in lieu of a citation or arrest.
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