
SENATE BILL No. 285

AM028507 has been incorporated into January 27, 2026 printing.

Synopsis: Housing matters.

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SB 285—LS 7097/DI 147



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.

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SENATE BILL No. 285

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**

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1 **housing and community development authority the information**
2 **received under IC 36-1-31.5-4.**

3 SECTION 3. IC 35-52-36-0.5 IS ADDED TO THE INDIANA
4 CODE AS A NEW SECTION TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2026]: **Sec. 0.5. IC 36-1-31.5-1 defines a**
6 **crime concerning the unauthorized use of land owned by the state**
7 **or a political subdivision to camp, sleep, or use for long term**
8 **shelter.**

9 SECTION 4. IC 36-1-31.5 IS ADDED TO THE INDIANA CODE
10 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2026]:

12 **Chapter 31.5. Prohibition of Street Camping**

13 **Sec. 0.5. (a) The following definitions apply throughout this**
14 **section:**

15 (1) "Certification date" means the date that the division of
16 mental health and addiction certifies that all of the following
17 apply:

18 (A) At least three (3) residential mental health providers
19 are in operation in Indiana.

20 (B) At least one (1) residential mental health provider is
21 in operation in the:

- 22 (i) First District;
- 23 (ii) Second District; and
- 24 (iii) Third District.

25 (C) The residential mental health facilities, in aggregate,
26 have sufficient bed capacity to house the unsheltered
27 homeless population.

28 (2) "First District" means a district that corresponds with
29 the First District of the court of appeals.

30 (3) "Residential mental health provider" means a mental
31 health provider that provides residential care and supported
32 housing for a person suffering from:

- 33 (A) mental illness; or
- 34 (B) chronic addiction.

35 (4) "Second District" means a district that corresponds with
36 the Second District of the court of appeals.

37 (5) "Third District" means a district that corresponds with
38 the Third District of the court of appeals.

39 (6) "Unsheltered homeless population" means the total
40 number of unsheltered homeless individuals based on the
41 most recent annual point-in-time survey conducted in:

- 42 (A) Marion County; and

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1 **(B) all counties outside Marion County.**
2 **(b) This chapter applies on the certification date.**
3 **Sec. 1. (a) A person may not camp, sleep, or use for long term**
4 **shelter land owned by the state or a political subdivision, unless the**
5 **land has been authorized for that use by law.**
6 **(b) If:**
7 **(1) a person violates subsection (a); and**
8 **(2) the person has not previously violated subsection (a);**
9 **the law enforcement officer who discovers the violation shall first**
10 **give the person a warning and provide the person with information**
11 **regarding locations authorized by law to provide services or**
12 **shelter.**
13 **(c) A person who knowingly or intentionally violates**
14 **subsection (a) commits street camping, a Class C misdemeanor, if:**
15 **(1) the person has received a warning under subsection (b);**
16 **(2) at least forty-eight (48) hours have elapsed since the**
17 **warning was issued; and**
18 **(3) the person is camping or sleeping on, or using for long**
19 **term shelter, land owned by the state or a political**
20 **subdivision that is located within a three hundred (300) foot**
21 **radius of the location where the warning under subsection**
22 **(b) was issued.**
23 **(d) A person charged with an offense under subsection (c) is**
24 **eligible to participate in a diversion program, including:**
25 **(1) a prosecutorial diversion program under IC 33-39-1-8; or**
26 **(2) a forensic diversion program under IC 11-12-3.7.**
27 **(e) If a law enforcement officer has reasonable grounds to**
28 **believe that a person is either dangerous or gravely disabled, and**
29 **is in immediate need of hospitalization and treatment, an officer**
30 **may initiate emergency detention procedures under IC 12-26-5.**
31 **Sec. 2. The court may refer a person charged with an offense**
32 **under section 1 of this chapter for evaluation and treatment under**
33 **IC 33-23-18-6.**
34 **Sec. 3. (a) A political subdivision shall not adopt or enforce any**
35 **policy under which the political subdivision prohibits or**
36 **discourages the enforcement of any order or ordinance prohibiting**
37 **public camping, sleeping, or other obstruction of a sidewalk.**
38 **(b) In compliance with subsection (a), a political subdivision**
39 **shall not prohibit or discourage a law enforcement officer who is**
40 **employed by or otherwise under the direction or control of the**
41 **political subdivision from enforcing any order or ordinance**
42 **prohibiting public camping, sleeping, or other obstruction of a**

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sidewalk.

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

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

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

Sec. 5. (a) Subject to subsection (b), this chapter does not prohibit a policy, program, or order of a political subdivision that:

- (1) encourages a diversion program; or
- (2) encourages or requires providing housing or shelter services in lieu of a citation or arrest.

(b) A policy, program, or order described in subsection (a) may not allow a person to remain in the area described in section (1)(c)(3) of this chapter beyond the forty-eight (48) hour period of time after receiving a warning under section (1)(b) of this chapter.

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