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# SENATE BILL No. 285

Proposed Changes to January 27, 2026 printing by AM028507

## DIGEST OF PROPOSED AMENDMENT

Certification date. Provides that the chapter prohibiting street camping does not apply until the division of mental health and addiction certifies that: (1) at least one residential mental health provider is in operation in the northern, central, and southern part of the state; and (2) residential mental health providers have sufficient bed capacity to house the unsheltered homeless population in Indiana, based on the most recent point-in-time survey.

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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**(B) all counties outside Marion County.**

**(b) This chapter applies on the certification date.**

**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 provide the person with information regarding locations authorized by law to provide services or shelter.**

**(c) A person who knowingly or intentionally violates subsection (a) commits street camping, a Class C misdemeanor, if:**

**(1) the person has received a warning under subsection (b);**

**(2) at least forty-eight (48) hours have elapsed since the warning was issued; and**

**(3) the person is camping or sleeping on, or using for long term shelter, land owned by the state or a political subdivision that is located within a three hundred (300) foot radius of the location where the warning under subsection (b) was issued.**

**(d) A person charged with an offense under subsection (c) is eligible to participate in a diversion program, including:**

**(1) a prosecutorial diversion program under IC 33-39-1-8; or**

**(2) a forensic diversion program under IC 11-12-3.7.**

**(e) If a law enforcement officer has reasonable grounds to believe that a person is either dangerous or gravely disabled, and is in immediate need of hospitalization and treatment, an officer may initiate emergency detention procedures under IC 12-26-5.**

**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 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**

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1 sidewalk.

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

3 business located in the political subdivision, or the attorney general

4 may bring a civil action in any court with jurisdiction against any

5 political subdivision to enjoin the political subdivision from

6 violating this section.

7 (d) The attorney general may recover reasonable expenses

8 incurred in any civil action brought under this section, including

9 court costs, reasonable attorney's fees, investigative costs, witness

10 fees, and deposition costs.

11 Sec. 4. Not later than March 1 of each year, each local law

12 enforcement agency shall provide to the state police department

13 the number of citations issued and arrests made for violations of

14 section 1 of this chapter by the law enforcement agency during the

15 preceding calendar year.

16 Sec. 5. (a) Subject to subsection (b), this chapter does not

17 prohibit a policy, program, or order of a political subdivision that:

18 (1) encourages a diversion program; or

19 (2) encourages or requires providing housing or shelter

20 services in lieu of a citation or arrest.

21 (b) A policy, program, or order described in subsection (a)

22 may not allow a person to remain in the area described in section

23 (1)(c)(3) of this chapter beyond the forty-eight (48) hour period of

24 time after receiving a warning under section (1)(b) of this chapter.

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