

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

FILED SENATE
Mar 25, 2025
S.B. 724
PRINCIPAL CLERK

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SENATE BILL DRS15301-LM-96B

Short Title: Safe Parks & Public Spaces Act. (Public)

Sponsors: Senators Alexander, Overcash, and Lazzara (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED
AN ACT ESTABLISHING THE SAFE PARKS AND PUBLIC SPACES ACT.

The General Assembly of North Carolina enacts:

SECTION 1. Article 9 of Chapter 160D of the General Statutes is amended by adding a new section to read:

"§ 160D-917. Camping in public spaces.

(a) Purpose. – The purpose of this section is to protect the public from the dangers of unauthorized street camping in public parks, rights-of-way, and other public spaces. The General Assembly recognizes the risk presented by unauthorized street camping, including conduct that results in the proliferation of drugs and drug paraphernalia, threats of random acts of violence, and the spread of disease and detritus. It is the intention of the General Assembly to protect the people of the State of North Carolina in public spaces and rights-of-way by enacting a prohibition on unauthorized camping in public spaces.

(b) Definitions. – For purposes of this section, the following definitions apply:

(1) Campsite. – Public grounds designated as a recreational camping ground, area, or facility, that allows temporary overnight occupancy without a permanently fixed structure.

(2) Public camping. – The act of sleeping upon, occupying, or otherwise using as a substitute for regular shelter, any public property or right-of-way as evidenced by, but not limited to, the erection of a tent or other temporary shelter, the presence of bedding or pillows, or the storage of personal property.

(c) Prohibition. – It shall be unlawful for any person to intentionally or knowingly engage in public camping in any location that is not designated as a campsite by the State or a county, city, or other political subdivision of the State. This subsection does not apply to any public property that has been designated by the State, county, city, or any other political subdivision with jurisdiction over the property as a temporary site for unsheltered homeless encampments. A violation of this subsection shall be a Class 3 misdemeanor; provided, however, for the first offense, a violator shall not be charged with a misdemeanor but shall instead be directed to the nearest emergency shelter for homeless individuals.

(d) Local government actions. – A county or municipality shall not do either of the following:

(1) Authorize or otherwise allow any person to regularly engage in public camping or sleeping on any public property that has not been designated as a campsite by the State or a county, city, or other political subdivision with jurisdiction over the area, including, but not limited to, any public building, public grounds, or public rights-of-way. This subsection does not apply to any



property designated as a temporary site for unsheltered homeless encampments.

(2) Prohibit or discourage law enforcement officers or prosecuting attorneys under their employ from enforcing any ordinance or other regulation prohibiting public camping, sleeping, or obstruction of sidewalks or other rights-of-way within the jurisdictional limits of the county or municipality.

(e) Enforcement. – Any resident of a county or city, owner of a business located within a county or city, or the Attorney General may bring a civil action in any court of competent jurisdiction against any county or municipality to enjoin a violation of subsection (d) of this section. If the resident or business owner prevails in the civil action, the court may award reasonable expenses incurred in bringing the civil action, including court costs, attorneys' fees, investigative costs, witness fees, and deposition costs. An application for an injunction under this subsection shall be accompanied by an affidavit attesting to all of the following:

(1) The applicant has provided written notice of the alleged violation to the governing body of the county or municipality.

(2) The applicant has provided the county or municipality with five business days to cure the alleged violation.

(3) The county or municipality has failed to take all reasonable actions within its powers to cure the alleged violation within 5 business days after receiving written notice of the alleged violation from the applicant.

(f) No State funds shall be appropriated to a county or municipality for homelessness assistance, prevention, or services if the county or municipality violates the provisions of this section and fails to remedy the violation as required by this section."

SECTION 2. This act becomes effective October 1, 2025.