

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.

SENATE ENROLLED ACT No. 285

AN ACT to amend the Indiana Code concerning local government.

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

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

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

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

(2) whether the recipient reduced unsheltered homelessness.

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

SECTION 3. IC 12-7-2-96 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 96. "Gravely disabled", for purposes of IC 12-26, means a condition in which an individual, as**

SEA 285 — Concur



a result of mental illness, is in danger of coming to harm because the individual:

- (1) is unable to provide for that individual's food, clothing, shelter, or other essential human needs; **or**
- (2) has a substantial impairment or an obvious deterioration of that individual's judgment, reasoning, or behavior that results in the individual's inability to function independently; **or**
- (3) lacks a fixed, regular, and adequate shelter, resulting in the individual remaining outdoors in places not designed for or ordinarily used for sleeping during weather conditions that are likely to result in death or serious physical injury, if:**
 - (A) the individual has refused transportation to a shelter or mental health service provider; and**
 - (B) a shelter or mental health service provider was reasonably offered and available.**

SECTION 4. 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 5. 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 on, sleep on, 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 a person violates subsection (a), the law enforcement officer who discovers the violation shall first determine if there are reasonable grounds for an emergency detention of the person. If there are reasonable grounds for an emergency detention, the law enforcement officer shall proceed under IC 12-26-5 and not this chapter.

(c) If:

- (1) a person violates subsection (a);**
- (2) the person has not previously violated subsection (a); and**
- (3) subsection (b) does not apply;**

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.



- (d) A person who knowingly or intentionally violates subsection (a) commits street camping, a Class C misdemeanor, if:
- (1) subsection (b) does not apply;
 - (2) the person has received a warning under subsection (c);
 - (3) at least forty-eight (48) hours have elapsed since the warning was issued; and
 - (4) 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 (c) was issued.
- (e) A person charged with an offense under subsection (d) 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.
- (f) It is a defense to a prosecution under subsection (d) that:
- (1) no beds are available to the person at a shelter or treatment facility located within five (5) miles of the location where the violation occurred; or
 - (2) less than six (6) months have passed since the person was released from a facility in which the person was held following a finding that the person was mentally ill and either:
 - (A) gravely disabled; or
 - (B) dangerous;
 under IC 12-26.

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 sidewalk.

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.



President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____

SEA 285 — Concur

