

1 A bill to be entitled
 2 An act relating to unauthorized public camping and
 3 public sleeping; creating ss. 125.0231 and 166.0453,
 4 F.S.; prohibiting counties and municipalities,
 5 respectively, from permitting public sleeping or
 6 public camping on public property without a permit;
 7 authorizing counties and municipalities to designate
 8 certain public property for such uses; providing
 9 requirements for such property; providing for
 10 enforcement actions; providing an exception for
 11 declared emergencies; providing a declaration of
 12 important state interest; providing an effective date.

13
 14 Be It Enacted by the Legislature of the State of Florida:

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 16 Section 1. Section 125.0231, Florida Statutes, is created
 17 to read:

18 125.0231 Unauthorized public camping and public sleeping.—
 19 (1) A county may not authorize or permit public sleeping
 20 or public camping on public property, public buildings, or
 21 public rights-of-way within the county's jurisdiction without a
 22 lawfully issued temporary permit. However, a county may, in its
 23 discretion, designate certain county property for public
 24 sleeping or public camping subject to the following conditions,
 25 the sufficiency of which shall be determined by the Department

26 | of Children and Families:

27 | (a) Minimum sanitation levels, which include, but are not
 28 | limited to, access to clean and operable restrooms and running
 29 | water.

30 | (b) Security present on site at all times.

31 | (c) Access to behavioral health services, including, but
 32 | not limited to, substance abuse and mental health treatment
 33 | resources.

34 | (d) Drugs and alcohol are prohibited within the designated
 35 | area.

36 | (e) The designated area may not be in a location where it
 37 | adversely and materially affects the value or security of
 38 | existing residential or commercial properties.

39 | (2) A person or business may bring a civil action in any
 40 | court of competent jurisdiction against any county to enjoin a
 41 | violation of this section and may recover reasonable expenses
 42 | incurred in any successful civil action brought pursuant to this
 43 | section, including court costs, reasonable attorney fees,
 44 | investigative costs, witness fees, and deposition costs.

45 | (3) This section does not apply during a state of
 46 | emergency issued by the Governor.

47 | Section 2. Section 166.0453, Florida Statutes, is created
 48 | to read:

49 | 166.0453 Unauthorized public camping and public sleeping.—

50 | (1) A municipality may not may not authorize or permit

51 public sleeping or public camping on public property, public
52 buildings, or public rights-of-way within the county's
53 jurisdiction without a lawfully issued temporary permit.
54 However, a municipality may, in its discretion, designate
55 certain municipal property for public sleeping or public camping
56 subject to the following conditions, the sufficiency of which
57 shall be determined by the Department of Children and Families:

58 (a) Minimum sanitation levels, which include, but are not
59 limited to, access to clean and operable restrooms and running
60 water.

61 (b) Security present on site at all times.

62 (c) Access to behavioral health services, including, but
63 not limited to, substance abuse and mental health treatment
64 resources.

65 (d) Drugs and alcohol are prohibited within the designated
66 area.

67 (e) The designated area may not be in a location where it
68 adversely and materially affects the value or security of
69 existing residential or commercial properties.

70 (2) A person or business may bring a civil action in any
71 court of competent jurisdiction against any municipality to
72 enjoin a violation of this section and may recover reasonable
73 expenses incurred in any successful civil action brought
74 pursuant to this section, including court costs, reasonable
75 attorney fees, investigative costs, witness fees, and deposition

HB 1365

2024

76 | costs.

77 | (3) This section does not apply during a state of
78 | emergency issued by the Governor.

79 | Section 3. The Legislature hereby determines and declares
80 | that this act fulfills an important state interest.

81 | Section 4. This act shall take effect October 1, 2024.