

\_\_\_\_\_ offers the following  
substitute to SB 535:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 50 of the Official Code of Georgia Annotated, relating to state government,  
2 so as to provide for limitations and authorizations on expenditure of certain funds relating  
3 to homelessness assistance; to provide for definitions; to provide for homeless outreach  
4 teams; to provide that it shall be unlawful to use any portion of state property for camping  
5 or setting up long-term homeless shelters; to provide for applicability; to provide for a  
6 penalty; to provide for related matters; to provide for a short title; to provide for an effective  
7 date; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

This Act shall be known and may be cited as the "Reducing Street Homelessness Act of 2022."

**SECTION 2.**

Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended in Article 1 of Chapter 8, relating to general provisions relative to the Department of Community Affairs, by adding a new Code section to read as follows:

"50-8-19.

(a) No funds received by the department or any other state agency from the Homelessness Assistance and Supportive Services Programs pursuant to Section 3205 of the American Rescue Plan Act of 2021 may be used for the construction or purchase of permanent supportive housing for the homeless.

(b)(1) Any municipality may dedicate up to 25 percent of its Edward Byrne Memorial Justice Assistance Grant funds and up to 25 percent of all grants it receives pursuant to the Community Programs Unit of the Criminal Justice Coordinating Council to the creation of homeless outreach teams. Such homeless outreach teams shall:

(A) Be composed of police officers or contracted security officers and social service and mental health professionals; and

(B) Work to move individuals camping and sleeping in public or private places not fit for human habitation into homeless services.

(2) The continuation of state grants to homeless outreach teams shall be contingent on the certification that the municipality:

(A) Meets the conditions as set forth in paragraph (1) of this subsection;

(B) Enforces all state and local laws prohibiting unauthorized camping and sleeping in public, except in camping areas agreed to by the local government and authorized by the department, which shall contain potable water, security, and sanitation services; and

(C) Implements policies to move homeless individuals through drug or mental health courts whenever possible.

(c) On and after July 1, 2023, any municipality with a per capita level of homelessness, as determined by the most recent census numbers and the most recent Department of Housing and Urban Department homelessness count for the Continuum of Care, as defined by 24 C.F.R. 578.5(a), in which the municipality is located, higher than the state average that refuses to enforce laws prohibiting unauthorized camping or sleeping in public except in camping areas agreed to by the local government and authorized by the department, which

43 shall contain potable water, security, and sanitation services, shall receive no further grants  
44 of any kind from the department or any state grants for public safety, and no nonprofit  
45 located within such municipality shall receive any such grants from the department or tax  
46 credits allocated by the department, until the per capita level of unsheltered homelessness  
47 is at or below the state average or the municipality enforces such laws prohibiting  
48 unauthorized camping and sleeping in public; provided, however, that this paragraph shall  
49 not apply to grants from the department or state grants for public safety that are clearly  
50 restricted by federal law, regulation, or court order.

51 (d) This Code section shall not apply to any county and shall not be construed to restrict  
52 any actions or impose any obligations on funding for any county law enforcement agency."

### 53 SECTION 3.

54 Said title is further amended in Chapter 16, relating to public property, by adding a new  
55 article to read as follows:

### 56 "ARTICLE 8

57 50-16-190.

58 As used in this article, the term:

59 (1) 'Camping' means temporary habitation outdoors as evidenced by one or more of the  
60 following actions: the erection or use of tents or other shelters; the laying down of  
61 sleeping bags, blankets, or other materials used for bedding; the placing or storing of  
62 personal belongings; the making of a fire; or the act of cooking.

63 (2) 'State property' means any building, land, or other real property owned, leased, or  
64 occupied by any department, commission, board, or other entity of the state; provided,  
65 however, that such term shall not include any portion of road or right-of-way on the state  
66 highway system.

67 50-16-191.

68 (a) It shall be unlawful for any person to knowingly use any portion of state property for  
69 camping or setting up long-term homeless shelters.

70 (b) Nothing in this Code section shall prohibit the normal, customary, and temporary use  
71 of recreational camping areas, safety rest areas, welcome centers, tourist centers, and other  
72 property of the state specifically designated for purposes of resting, sleeping, eating, or  
73 other similar activities for recreational purposes or by persons traveling by vehicle.

74 (c) This Code section shall not apply to state or local government officials or employees  
75 acting in their official capacity and while performing activities as part of their official  
76 duties and shall not apply to any employee of a contractor or subcontractor performing  
77 duties under a contract with the state.

78 (d) Any person convicted of violating this Code section shall be guilty of a misdemeanor:  
79 provided, however, that upon the first violation, the person shall be given a citation and a  
80 referral to treatment services."

81 **SECTION 4.**

82 This Act shall become effective on January 1, 2023.

83 **SECTION 5.**

84 All laws and parts of laws in conflict with this Act are repealed.