



ARIZONA STATE SENATE
Fifty-Sixth Legislature, First Regular Session

FACT SHEET FOR H.B. 2649

AMENDED

~~appropriation; correction officers; retention bonus~~
(NOW: street encampments; safety; health requirements)

Purpose

An emergency measure that requires municipalities and counties that establish a homeless encampment, allow for the establishment of a homeless encampment, or fail to disband a homeless encampment, to provide specified sanitation and security services at the encampment.

Background

Phoenix City Code prohibits any person from using a public street, highway, alley, lane, parkway, sidewalk or other right-of-way for lying, sleeping or otherwise remaining in a sitting position thereon, whether such right-of-way has been dedicated to the public in fee or by easement, except in the case of a physical emergency or the administration of medical assistance ([P.C.C. § 23-48.01](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Requires a municipality or a county that establishes, allows the establishment of, or fails to disband a homeless encampment within a reasonable period of time, either on private property in violation of municipal regulations or on public property, to provide all of the following at the encampment:
 - a) at least two temporary or permanent toilets, with two additional toilets for every 100 residents at the encampment;
 - b) two temporary or permanent shower units, if the encampment has a population of at least 50 residents;
 - c) at least two temporary or permanent handwashing units, with two additional handwashing units for every 100 residents at the encampment;
 - d) adequate potable water;
 - e) adequate trash receptacles and regular trash removal services; and
 - f) 24-hour on-site security, if the encampment has more than 200 residents.
2. Requires a municipality or a county to ensure compliance with and enforce all applicable health, safety and sanitation laws, ordinances and regulations within a homeless encampment.
3. Requires a private property owner to consent to the placement of outlined services if a homeless encampment is located on private property.

4. States that requirements related to providing outlined services do not apply to homeless encampments located on federal land.
5. Defines *homeless encampment* as an area containing 10 or more tents, tarps or other similar temporary structures that are each within 50 feet of another tent, tarp or other similar temporary structure and that are used for the purpose of establishing an indefinite place of domicile or residence.
6. Becomes effective on signature of the Governor, if the emergency clause is enacted.

Amendments Adopted by Committee

1. Redefines *homeless encampment* to mean 10 or more tents, tarps or other similar temporary structures that are each within 50 feet of another tent, tarp or other similar structure.
2. Adds that a municipality or county is required to provide prescribed sanitation and security services if the municipality or county fails to disband a homeless encampment.
3. Stipulates that homeless encampment security services are only required to be provided if the encampment has more than 200 residents.
4. Makes technical changes.

Amendments Adopted by Committee of the Whole

1. Requires a private property owner to consent to the placement of outlined services if a homeless encampment is located on private property.
2. States that requirements related to providing outlined services do not apply to homeless encampments located on federal land.
3. Specifies that, if a municipality or a county is required to provide outlined services to homeless encampments for failing to disband a homeless encampment, the municipality or county must have failed to disband the encampment within a reasonable period of time.
4. Makes technical and conforming changes.

Senate Action

JUD 3/3/23 DPA/SE 4-3-0

Prepared by Senate Research

June 12, 2023

ZD/sr