

COMMITTEE ON JUDICIARY  
SENATE AMENDMENTS TO H.B. 2649  
(Reference to House engrossed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Title 9, chapter 4, article 8, Arizona Revised Statutes,  
3 is amended by adding section 9-500.49, to read:

4 9-500.49. Homeless encampments; requirements; definition

5 A. IF A MUNICIPALITY ESTABLISHES, ALLOWS THE ESTABLISHMENT OF OR  
6 FAILS TO DISBAND A HOMELESS ENCAMPMENT EITHER ON PRIVATE PROPERTY IN  
7 VIOLATION OF MUNICIPAL REGULATIONS OR ON PUBLIC PROPERTY, THE MUNICIPALITY  
8 SHALL PROVIDE ALL OF THE FOLLOWING AT THE HOMELESS ENCAMPMENT:

9 1. AT LEAST TWO TEMPORARY OR PERMANENT TOILETS. IF A HOMELESS  
10 ENCAMPMENT HAS ONE HUNDRED OR MORE RESIDENTS, THE MUNICIPALITY SHALL  
11 PROVIDE TWO ADDITIONAL TOILETS. IF A HOMELESS ENCAMPMENT EXCEEDS ONE  
12 HUNDRED RESIDENTS, THE MUNICIPALITY SHALL PROVIDE TWO ADDITIONAL TOILETS  
13 FOR EVERY ADDITIONAL ONE HUNDRED RESIDENTS.

14 2. AT LEAST TWO TEMPORARY OR PERMANENT HANDWASHING UNITS. IF A  
15 HOMELESS ENCAMPMENT HAS ONE HUNDRED OR MORE RESIDENTS, THE MUNICIPALITY  
16 SHALL PROVIDE TWO ADDITIONAL HANDWASHING UNITS. IF A HOMELESS ENCAMPMENT  
17 EXCEEDS ONE HUNDRED RESIDENTS, THE MUNICIPALITY SHALL PROVIDE TWO  
18 ADDITIONAL HANDWASHING UNITS FOR EVERY ADDITIONAL ONE HUNDRED RESIDENTS.

19 3. IF A HOMELESS ENCAMPMENT HAS AT LEAST FIFTY RESIDENTS, AT LEAST  
20 TWO TEMPORARY OR PERMANENT SHOWER UNITS.

21 4. ADEQUATE POTABLE WATER.

22 5. ADEQUATE TRASH RECEPTACLES AND REGULAR TRASH REMOVAL SERVICES.

23 6. IF A HOMELESS ENCAMPMENT HAS MORE THAN TWO HUNDRED RESIDENTS,  
24 TWENTY-FOUR-HOUR ON-SITE SECURITY.

25 B. A MUNICIPALITY SHALL ENSURE COMPLIANCE WITH AND ENFORCE ALL  
26 APPLICABLE HEALTH, SAFETY AND SANITATION LAWS, ORDINANCES AND REGULATIONS  
27 WITHIN A HOMELESS ENCAMPMENT.

1 C. FOR THE PURPOSES OF THIS SECTION, "HOMELESS ENCAMPMENT" MEANS AN  
2 AREA CONTAINING TEN OR MORE TENTS, TARPS OR OTHER SIMILAR TEMPORARY  
3 STRUCTURES THAT ARE EACH WITHIN FIFTY FEET OF ANOTHER TENT, TARP OR OTHER  
4 SIMILAR TEMPORARY STRUCTURE AND THAT ARE USED FOR THE PURPOSE OF  
5 ESTABLISHING AN INDEFINITE PLACE OF DOMICILE OR RESIDENCE.

6 Sec. 2. Title 11, chapter 2, article 4, Arizona Revised Statutes, is  
7 amended by adding section 11-269.27, to read:

8 11-269.27. Homeless encampments; requirements; definition

9 A. IF A COUNTY ESTABLISHES, ALLOWS THE ESTABLISHMENT OF OR FAILS TO  
10 DISBAND A HOMELESS ENCAMPMENT EITHER ON PRIVATE PROPERTY IN VIOLATION OF  
11 COUNTY REGULATIONS OR ON PUBLIC PROPERTY, THE COUNTY SHALL PROVIDE ALL OF  
12 THE FOLLOWING AT THE HOMELESS ENCAMPMENT:

13 1. AT LEAST TWO TEMPORARY OR PERMANENT TOILETS. IF A HOMELESS  
14 ENCAMPMENT HAS ONE HUNDRED OR MORE RESIDENTS, THE MUNICIPALITY SHALL  
15 PROVIDE TWO ADDITIONAL TOILETS. IF A HOMELESS ENCAMPMENT EXCEEDS ONE  
16 HUNDRED RESIDENTS, THE MUNICIPALITY SHALL PROVIDE TWO ADDITIONAL TOILETS  
17 FOR EVERY ADDITIONAL ONE HUNDRED RESIDENTS.

18 2. AT LEAST TWO TEMPORARY OR PERMANENT HANDWASHING UNITS. IF A  
19 HOMELESS ENCAMPMENT HAS ONE HUNDRED OR MORE RESIDENTS, THE MUNICIPALITY  
20 SHALL PROVIDE TWO ADDITIONAL HANDWASHING UNITS. IF A HOMELESS ENCAMPMENT  
21 EXCEEDS ONE HUNDRED RESIDENTS, THE MUNICIPALITY SHALL PROVIDE TWO  
22 ADDITIONAL HANDWASHING UNITS FOR EVERY ADDITIONAL ONE HUNDRED RESIDENTS.

23 3. IF A HOMELESS ENCAMPMENT HAS AT LEAST FIFTY RESIDENTS, AT LEAST  
24 TWO TEMPORARY OR PERMANENT SHOWER UNITS.

25 4. ADEQUATE POTABLE WATER.

26 5. ADEQUATE TRASH RECEPTACLES AND REGULAR TRASH REMOVAL SERVICES.

27 6. IF A HOMELESS ENCAMPMENT HAS MORE THAN TWO HUNDRED RESIDENTS,  
28 TWENTY-FOUR-HOUR ON-SITE SECURITY.

29 B. A COUNTY SHALL ENSURE COMPLIANCE WITH AND ENFORCE ALL APPLICABLE  
30 HEALTH, SAFETY AND SANITATION LAWS, ORDINANCES AND REGULATIONS.

31 C. FOR THE PURPOSES OF THIS SECTION, "HOMELESS ENCAMPMENT" MEANS AN  
32 AREA CONTAINING TEN OR MORE TENTS, TARPS OR OTHER SIMILAR TEMPORARY

1       STRUCTURES THAT ARE EACH WITHIN FIFTY FEET OF ANOTHER TENT, TARP OR OTHER  
2       SIMILAR TEMPORARY STRUCTURE AND THAT ARE USED FOR THE PURPOSE OF  
3       ESTABLISHING AN INDEFINITE PLACE OF DOMICILE OR RESIDENCE.

4               Sec. 3. Emergency

5               This act is an emergency measure that is necessary to preserve the  
6       public peace, health or safety and is operative immediately as provided by  
7       law."

8 Amend title to conform

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S: TG