

REFERENCE TITLE: homeless encampment; removal

State of Arizona
Senate
Fifty-sixth Legislature
First Regular Session
2023

SB 1413

Introduced by
Senator Wadsack: Representative Jones

AN ACT

AMENDING TITLE 9, CHAPTER 4, ARTICLE 8, ARIZONA REVISED STATUTES, BY ADDING SECTION 9-500.49; AMENDING TITLE 11, CHAPTER 2, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING SECTION 11-269.27; RELATING TO LOCAL REGULATIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

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 encampment; removal; definition

5 A. ON RECEIPT OF A REPORT OF THE EXISTENCE OF A HOMELESS
6 ENCAMPMENT, A CITY OR TOWN SHALL IMMEDIATELY REMOVE THE ENCAMPMENT,
7 DISCARD ANY MATERIALS LOCATED AT THE ENCAMPMENT AND CLEAN THE AREA IN
8 WHICH THE ENCAMPMENT WAS LOCATED.

9 B. PERSONS LIVING AT THE ENCAMPMENT SHALL BE CHARGED WITH
10 TRESPASSING AS PRESCRIBED IN TITLE 13, CHAPTER 15 IF THE ENCAMPMENT IS
11 LOCATED ON PRIVATE PROPERTY. PERSONS LIVING AT THE ENCAMPMENT WHO ARE
12 ENGAGING IN ILLEGAL DRUG USE SHALL BE CHARGED WITH THE APPROPRIATE
13 DRUG-RELATED OFFENSE PURSUANT TO TITLE 13, CHAPTER 34.

14 C. FOR THE PURPOSES OF THIS SECTION, "HOMELESS ENCAMPMENT" MEANS
15 ONE OR MORE TENTS, STRUCTURES OR ASSEMBLIES OF CAMPING EQUIPMENT OR
16 PERSONAL PROPERTY LOCATED IN AN IDENTIFIABLE AREA THAT APPEARS TO A
17 REASONABLE PERSON AS BEING USED FOR LIVING.

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

20 11-269.27. Homeless encampment; removal; definition

21 A. ON RECEIPT OF A REPORT OF THE EXISTENCE OF A HOMELESS
22 ENCAMPMENT, A COUNTY SHALL IMMEDIATELY REMOVE THE ENCAMPMENT, DISCARD ANY
23 MATERIALS LOCATED AT THE ENCAMPMENT AND CLEAN THE AREA IN WHICH THE
24 ENCAMPMENT WAS LOCATED.

25 B. PERSONS LIVING AT THE ENCAMPMENT SHALL BE CHARGED WITH
26 TRESPASSING AS PRESCRIBED IN TITLE 13, CHAPTER 15 IF THE ENCAMPMENT IS
27 LOCATED ON PRIVATE PROPERTY. PERSONS LIVING AT THE ENCAMPMENT WHO ARE
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