

25102869D

HOUSE BILL NO. 2602

Offered January 13, 2025

Prefiled January 13, 2025

A BILL to amend and reenact § 15.2-926 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 15.2-926.01, relating to persons seeking temporary shelter; provision of temporary shelter by locality.

Patron—Cole

Referred to Committee on Counties, Cities and Towns

Be it enacted by the General Assembly of Virginia:

1. That § 15.2-926 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 15.2-926.01 as follows:

§ 15.2-926. Prohibiting loitering; frequenting amusements and curfew for minors; sleeping in vehicles; penalty.

A. Any locality may by ordinance prohibit loitering in, upon or around any public place, whether on public or private property. Any locality may by ordinance also prohibit minors who are not attended by their parents from frequenting or being in public places, whether on public or private property, at such times, between 10:00 p.m. and 6:00 a.m., as the governing body deems proper.

A violation of such ordinances by a minor shall be disposed of as provided in §§ 16.1-278.4 and 16.1-278.5.

B. A locality may by ordinance regulate the frequenting, playing in or loitering in public places of amusement by minors, and may prescribe punishment for violations of such ordinances not to exceed that prescribed for a Class 3 misdemeanor.

C. *Notwithstanding any other provision of law, general or special, no locality shall adopt or enforce any ordinance that creates criminal penalties for sleeping or seeking temporary shelter in a legally parked vehicle and any such ordinance adopted prior to July 1, 2025, is invalid. No person who is sleeping or seeking temporary shelter in a legally parked car shall be detained solely for such reason.*

D. Without limiting or restricting the general powers created by this section, the term "public place" shall also include public libraries.

§ 15.2-926.01. Localities shall provide temporary shelter; public camping.

Every locality shall make a reasonable effort to provide temporary shelter for individuals without housing and shall have authority to use government-owned property for such purpose. Notwithstanding any other provision of law, general or special, no person who is public camping in a locality shall be detained solely for such reason unless the locality is able to immediately provide alternative temporary shelter to such person or the person is deemed to pose an immediate threat to the public. For purposes of this section, "public camping" means the temporary use of a tent, sleeping bag, or similar item in a public place for purposes of sleeping or seeking shelter from the elements.

INTRODUCED

HB2602