

SENATE BILL 1610

By Bailey

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 14; Title 39, Chapter 17, Part 3 and Title 55, Chapter 8, relative to public property.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 55, Chapter 8, Part 2, is amended by adding the following as a new section:

(a) It is unlawful for a person to solicit from the roadway, shoulder, berm, or right-of-way of a controlled-access highway or entrance or exit ramp of such highway.

(b) It is unlawful for a person to engage in camping:

(1) On the shoulder, berm, or right-of-way of a state or interstate highway; or

(2) Under a bridge or overpass, or within an underpass, of a state or interstate highway.

(c) Notwithstanding § 39-14-414, a violation of this section is a Class C misdemeanor, punishable by a fine of fifty dollars (\$50.00) and community service work not less than twenty (20) hours nor more than forty (40) hours; except, that a person who violates this section shall receive a warning citation for a first offense. In lieu of a fine and community service, the court may require a person convicted under this section to remove litter from the state or local highway system, public playgrounds, public parks, or other appropriate public locations for not less than twenty (20) hours nor more than forty (40) hours.

(d) For purposes of this section, "camping" means:

(1) Erecting, placing, maintaining, or using temporary structures such as tents, tarps, and other temporary shelters for living accommodation activities such as sleeping, or making preparations to sleep;

(2) Carrying on cooking activities, whether by fire or use of artificial means, such as a propane stove or other heat-producing portable cooking equipment; or

(3) Sleeping outside of a motor vehicle or making preparations to sleep outside of a motor vehicle, including laying down a sleeping bag, blanket, or other material used for bedding.

SECTION 2. Tennessee Code Annotated, Section 39-14-414(c), is amended by deleting the language "state-owned land" and substituting instead the language "public property".

SECTION 3. Tennessee Code Annotated, Section 39-14-414(d)(1), is amended by deleting the language "on property owned by the state" and substituting instead the language "on public property".

SECTION 4. Tennessee Code Annotated, Section 39-14-414(e), is amended by deleting the language "state custody" and substituting instead the word "custody"; is amended by deleting the language "state agency" wherever it appears and substituting instead the word "agency"; and is amended by deleting the language "state and its employees" and substituting instead the language "state, or local government, and its employees".

SECTION 5. Tennessee Code Annotated, Section 39-14-414(g), is amended by deleting the language "state property" wherever it appears and substituting instead the language "public property"; and is further amended by deleting the language "state department" and substituting instead the word "department".

SECTION 6. This act takes effect July 1, 2021, the public welfare requiring it.