



# State of Tennessee

## PUBLIC CHAPTER NO. 986

HOUSE BILL NO. 978

By Representatives Williams, White, Tim Hicks, Moody, Reedy, Todd, Littleton

Substituted for: Senate Bill No. 1610

By Senator 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 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.

(b) Notwithstanding § 39-14-414, a violation of this section is a Class C misdemeanor, punishable only 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 must 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.

(c) 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".

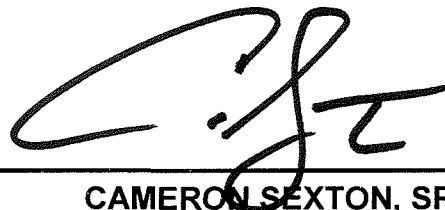
**HB978**

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, 2022, the public welfare requiring it.

HOUSE BILL NO. 978

PASSED: April 18, 2022



CAMERON SEXTON, SPEAKER  
HOUSE OF REPRESENTATIVES



RANDY MCNALLY  
SPEAKER OF THE SENATE

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_ 2022

\_\_\_\_\_  
BILL LEE, GOVERNOR



**BILL LEE**  
GOVERNOR  
STATE OF TENNESSEE

May 3, 2022

The Honorable Randy McNally  
Lieutenant Governor  
425 Rep. John Lewis Way N., Suite 700  
Nashville, TN 37243

The Honorable Cameron Sexton  
Speaker, Tennessee House of Representatives  
425 Rep. John Lewis Way N., Suite 600  
Nashville, TN 37243

Dear Lieutenant Governor McNally and Speaker Sexton:

I write to inform you that am letting HB 978 / SB 1610 become law without my signature. I understand the intent of this legislation to maintain public land and parks for the purposes they were intended. However, criminalizing homeless persons can be a counterproductive response to an issue more appropriately addressed by public, private, nonprofit, and faith-based organizations partnering together.

I am concerned about the unintended consequences, operational costs, and inconsistent enforcement, and we should actively monitor the effects of this legislation.

Respectfully,

A handwritten signature in cursive script that reads "Bill Lee".

Bill Lee