

# **WEST VIRGINIA LEGISLATURE**

## **2025 REGULAR SESSION**

**Introduced**

### **Senate Bill 519**

By Senator Taylor

[Introduced February 18, 2025; referred  
to the Committee on the Judiciary]

*Be it enacted by the Legislature of West Virginia:*

**§61-6-18a. Prohibited camping.**

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(2) 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 park, or other appropriate public location for not more than 40 hours in any two-week period.

(c) The person's intent or knowledge may be established through evidence of activities associated with sustaining a shelter that are conducted in a public place, including but not limited to:

(1) Cooking;

(2) Making a fire;

(3) Storing person belongings for an extended period;

(4) Digging; or

(5) Sleeping.

(d) Consent by an officer or agency of a political subdivision is not effective for purposes of subsection (b) of this section, unless given to authorize the person to camp for:

(1) Recreational purposes; or

(2) Purposes related to providing emergency shelter during a disaster.

(e) This section does not preempt an ordinance, order, rule or other regulation adopted by a state agency or political subdivision relating to prohibiting camping in a public place or affect the authority of a state agency or political subdivision to adopt or enforce an ordinance, order, rule, or other law relating to prohibiting camping in a public place if the ordinance, order, rule, or other law:

(1) Is compatible with and equal to or more stringent than the offense prescribed by this section, or

(2) Relates to an issue not specifically addressed by this section.

(f) Except as provided by subsection (g) of this section, before or at the time an officer issues a citation to a person for an offense under this section, the officer shall make a reasonable effort to:

(1) Advise the person of an alternative place at which the person may lawfully camp;

40           (2) Contact, if reasonable and appropriate, an appropriate official of the political  
41 subdivision in which the public place is located, or an appropriate non-profit organization operating  
42 within the political subdivision, and request the official or organization to provide the person with:  
43           (A) Information regarding the prevention of human trafficking; or  
44           (B) Any other services that would reduce the likelihood of the person suspected of  
45 committing the offense continuing to camp in the public place.  
46           (f) Subsection (e) of this section does not apply if the officer determines there is an  
47 imminent threat to the health or safety of any person to the extent that compliance with that  
48 subsection is impracticable.

NOTE: The purpose of this bill is to create the misdemeanor offense of camping in public spaces without consent, establishes penalties upon conviction thereof, provides for warning citation for first offense; provides exceptions and address existing state or local ordinances, or rules.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.