

HOUSE BILL 1164

L6

5lr0711

By: **Delegate Feldmark**

Introduced and read first time: February 6, 2025

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Counties and Municipalities – Homelessness – Local Laws**
3 **(Right to Rest Act)**

4 FOR the purpose of prohibiting a county or municipality from enacting or enforcing a local
5 law that is designed to prevent an individual from resting or sleeping in a public
6 space, protecting oneself from the elements in a manner that does not obstruct the
7 use of or access to private property, or sleeping in a legally parked vehicle; and
8 generally relating to local laws regarding homeless individuals.

9 BY adding to
10 Article – Local Government
11 Section 1–1321
12 Annotated Code of Maryland
13 (2013 Volume and 2024 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
15 That the Laws of Maryland read as follows:

16 **Article – Local Government**

17 **1–1321.**

18 **(A) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:**

19 **(1) MANY INDIVIDUALS EXPERIENCE HOMELESSNESS BECAUSE OF**
20 **ECONOMIC HARDSHIP, A SEVERE SHORTAGE OF SAFE AND AFFORDABLE HOUSING,**
21 **THE INABILITY TO SECURE GAINFUL EMPLOYMENT, AND DISINTEGRATING AND**
22 **SHRINKING SOCIAL SAFETY NETS;**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) RESPONDING TO THE GROWING CRISIS OF HOMELESSNESS WITH**
2 **CRIMINAL SANCTIONS TO PUSH INDIVIDUALS OUT OF PUBLIC SPACES AND INTO**
3 **COURTS AND JAILS IS COSTLY, INHUMANE, AND INEFFECTIVE AND VIOLATES BASIC**
4 **CIVIL, HUMAN, AND CONSTITUTIONAL RIGHTS;**

5 **(3) THE EXISTENCE OF HOMELESSNESS REQUIRES THAT CIVIL AND**
6 **HUMAN RIGHTS THAT ARE AMPLY PROTECTED IN THE HOME AND IN OTHER PRIVATE**
7 **PLACES BE EXTENDED TO THE PUBLIC SPACES IN WHICH INDIVIDUALS**
8 **EXPERIENCING HOMELESSNESS LIVE TO ENSURE THE EQUAL RIGHTS OF ALL**
9 **CITIZENS OF THE STATE;**

10 **(4) COUNTIES AND MUNICIPALITIES THROUGHOUT THE UNITED**
11 **STATES ARE ENACTING AND ENFORCING LOCAL LAWS THAT CRIMINALIZE BASIC**
12 **ACTS OF SURVIVAL, INCLUDING:**

13 **(I) SLEEPING, SITTING, OR LOITERING IN A PUBLIC SPACE;**

14 **(II) SLEEPING IN A LEGALLY PARKED VEHICLE;**

15 **(III) HAVING A REASONABLE EXPECTATION OF PRIVACY FOR**
16 **PERSONAL PROPERTY;**

17 **(IV) STORING BELONGINGS;**

18 **(V) ASKING FOR HELP; AND**

19 **(VI) USING A BLANKET TO COVER ONESELF IN A**
20 **NONOBSTRUCTIVE MANNER REGARDLESS OF OUTDOOR TEMPERATURE;**

21 **(5) THESE LOCAL LAWS:**

22 **(I) RESULT IN INDIVIDUALS BEING CRIMINALLY PUNISHED FOR**
23 **DOING WHAT ANY INDIVIDUAL MUST DO TO SURVIVE;**

24 **(II) DO NOT REDUCE THE INCIDENCE OF HOMELESSNESS OR**
25 **CRIME, BUT RATHER INCREASE INCARCERATION RATES AND FINANCIAL**
26 **INDEBTEDNESS OF INDIVIDUALS WHO SIMPLY HAVE NO MEANS OF SUPPORTING**
27 **THEMSELVES; AND**

28 **(III) PROLONG HOMELESSNESS BY MAKING IT MORE DIFFICULT**
29 **FOR INDIVIDUALS TO SECURE HOUSING, EMPLOYMENT, AND MEDICAL CARE;**

1 **(6) WHILE THESE LOCAL LAWS APPLY TO ALL RESIDENTS IN THE**
2 **LOCAL JURISDICTION, THE LAWS:**

3 **(I) DISPROPORTIONATELY IMPACT INDIVIDUALS**
4 **EXPERIENCING HOMELESSNESS; AND**

5 **(II) ARE OFTEN SELECTIVELY ENFORCED AGAINST PEOPLE**
6 **BASED ON THEIR APPEARANCE OR AN ASSUMPTION OF HOMELESSNESS; AND**

7 **(7) PROHIBITING LOCAL JURISDICTIONS IN THE STATE FROM**
8 **PASSING OR ENFORCING LOCAL LAWS THAT DISPROPORTIONATELY IMPACT OR ARE**
9 **INTENDED TO IMPACT INDIVIDUALS EXPERIENCING HOMELESSNESS WILL PERMIT**
10 **THE LOCAL JURISDICTIONS TO REDIRECT RESOURCES AND SHIFT THE FOCUS FROM**
11 **LAW ENFORCEMENT TO POSITIVE APPROACHES THAT DIRECTLY ADDRESS**
12 **HOMELESSNESS AND POVERTY.**

13 **(B) A COUNTY OR MUNICIPALITY MAY NOT ENACT OR ENFORCE A LOCAL**
14 **LAW THAT IS DESIGNED TO PREVENT AN INDIVIDUAL FROM:**

15 **(1) RESTING OR SLEEPING IN A PUBLIC SPACE;**

16 **(2) PROTECTING ONESELF FROM THE ELEMENTS IN A MANNER THAT**
17 **DOES NOT OBSTRUCT THE USE OF OR ACCESS TO PRIVATE PROPERTY; OR**

18 **(3) SLEEPING IN A LEGALLY PARKED VEHICLE.**

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2025.