
SENATE BILL NO. 155—SENATOR OHRENSCHALL

FEBRUARY 14, 2023

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to homeless persons.
(BDR 20-244)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to homeless persons; prohibiting a county board of commissioners and the city council or other governing body of an incorporated city from enacting and enforcing ordinances that discriminate against a homeless person; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law authorizes a county board of commissioners and the city council
2 or other governing body of an incorporated city to enact and enforce certain
3 ordinances related to health and safety. (Chapters 244 and 268 of NRS) **Sections 1**
4 **and 2** of this bill prohibit a county board of commissioners and the city council or
5 other governing body of an incorporated city, respectively, from enacting and
6 enforcing any ordinance that discriminates against a homeless person by
7 prohibiting a homeless person from engaging in life-sustaining activities in a public
8 space, including, without limitation: (1) resting in a nonobstructive manner; (2)
9 sheltering from the elements in a nonobstructive manner; (3) eating, sharing,
10 accepting or giving food in public spaces where food is not prohibited; and (4) with
11 certain exceptions, occupying a motor vehicle. **Sections 1 and 2** also define certain
12 terms related to life-sustaining activities.

13 **Section 3** of this bill declares that any ordinance enacted by a board of county
14 commissioners or a city council or other governing body of an incorporated city
15 before, on or after October 1, 2023, that conflicts with the provisions of **section 1**
16 **or 2** is void and unenforceable.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 244 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 1. *A board of county commissioners shall not enact or*
4 *enforce any ordinance that discriminates against a homeless*
5 *person by prohibiting a homeless person from engaging in life-*
6 *sustaining activities in a public space, including, without*
7 *limitation:*

8 (a) *Resting in a nonobstructive manner;*

9 (b) *Sheltering from the elements in a nonobstructive manner;*

10 (c) *Eating, sharing, accepting or giving food in any public*
11 *space where food is not prohibited; and*

12 (d) *Occupying a motor vehicle, provided that the motor vehicle*
13 *is legally parked on public property or parked on private property*
14 *with the permission of the property owner.*

15 2. *As used this section:*

16 (a) *“Nonobstructive manner” means in a manner that does not*
17 *render a passageway impassable or hazardous.*

18 (b) *“Public space” means an outdoor property that is owned or*
19 *leased by the State, a county or a city, or an easement designated*
20 *for public use.*

21 (c) *“Resting” means a state of not moving and holding certain*
22 *postures in a nonobstructive manner, including, without*
23 *limitation, sitting, standing, leaning, kneeling, squatting, sleeping*
24 *or lying down.*

25 **Sec. 2.** Chapter 268 of NRS is hereby amended by adding
26 thereto a new section to read as follows:

27 1. *A city council or other governing body of an incorporated*
28 *city, shall not enact or enforce any ordinance that discriminates*
29 *against a homeless person by prohibiting a homeless person from*
30 *engaging in life-sustaining activities in a public space, including,*
31 *without limitation:*

32 (a) *Resting in a nonobstructive manner;*

33 (b) *Sheltering from the elements in a nonobstructive manner;*

34 (c) *Eating, sharing, accepting or giving food in any public*
35 *space where food is not prohibited; and*

36 (d) *Occupying a motor vehicle, provided that the motor vehicle*
37 *is legally parked on public property or parked on private property*
38 *with the permission of the property owner.*

39 2. *As used this section:*

40 (a) *“Nonobstructive manner” means in a manner that does not*
41 *render a passageway impassable or hazardous.*



1 ***(b) “Public space” means an outdoor property that is owned or***
2 ***leased by the State, a county or a city, or an easement designated***
3 ***for public use.***

4 ***(c) “Resting” means a state of not moving and holding certain***
5 ***postures in a nonobstructive manner, including, without***
6 ***limitation, sitting, standing, leaning, kneeling, squatting, sleeping***
7 ***or lying down.***

8 **Sec. 3.** Any ordinance enacted by a board of county
9 commissioners or a city council or other governing body of an
10 incorporated city before, on or after October 1, 2023, which
11 conflicts with the provisions of this act is void and unenforceable.

