STATE OF NEW YORK

5452--A

2025-2026 Regular Sessions

IN ASSEMBLY

February 14, 2025

Introduced by M. of A. FORREST -- read once and referred to the Committee on Codes -- recommitted to the Committee on Codes in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the civil rights law, in relation to prohibiting imprisonment for sleeping or camping in public spaces

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. This act shall be known and may be cited as the "stop law enforcement of encampment penalties (SLEEP) act".

§ 2. The civil rights law is amended by adding a new section 29 to read as follows:

§ 29. No imprisonment for sleeping or camping in public spaces. 1. Notwithstanding any other provision of law, rule, regulation or order to the contrary, a person shall not be arrested, imprisoned, charged, fined, removed, or have their personal property removed for sleeping, sitting, lying down, standing, or squatting in or upon any publicly-owned property which, at that time, is open and available for use by the public, including but not limited to sidewalks, streets, alleyways, parks, benches, underpasses, bridges, mass transit facilities, and doorways, provided that such individual is not substantially impeding operations or access to such publicly-owned property and that such individual is not posing an imminent threat to the safety or health of themselves or those around them.

2. Notwithstanding any other provision of law, rule, regulation or order to the contrary, a person shall not be retained or admitted to a hospital for observation, care and treatment pursuant to section 9.39 of the mental hygiene law or be deemed to pose a substantial risk of physical harm to themselves due to an inability or refusal, as a result of mental illness, to provide for their own essential needs such as food, clothing, necessary medical care, personal safety, or shelter solely due

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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to the fact that such person is sleeping in or upon a publicly-owned property which, at that time, is open and available for use by the public, including but not limited to sidewalks, streets, alleyways, parks, benches, underpasses, bridges, mass transit facilities, and doorways, provided that such individual is not substantially impeding operations or access to such publicly-owned property and that such individual is not posing an imminent threat to the safety or health of themselves or those around them.

3. Notwithstanding any other provision of law, rule, regulation or order to the contrary, no executive officer or governing board of a municipal corporation shall issue any law, rule, regulation or order which contradicts subdivision one of this section.

§ 3. This act shall take effect immediately.