ANALYSIS · ASHEVILLE, NC

A Ban Is Not a *Bed*

North Carolina's legislature has passed a statewide ban on public camping. The governor vetoed it, and the override fight isn't settled. Here is what the bill would do, what bans like it did in the states that already tried them, and what a sanctioned camp would cost Buncombe County if it opened one. For a camp that meets the bill's standards and is big enough for everyone the county counted as unsheltered, that's roughly $8 to $10 million a year, with no state money attached.

By Step Up AVL

Published June 27, 2026 · Updated November 7, 2026
stepupavl.org
Sources & notes (51 linked documents) · PDF version

In this piece

6 sections

The bill
The origin
The record
The fair point
Asheville
The alternative

In April 2025 the legislature started trying to pass a ban that would bar cities and counties from regularly letting people camp or sleep on public property. It passed on a final vote of 73 to 40, and the governor vetoed it on July 8, 2026. It is not law yet. As of October 2026, neither chamber has voted on the override.

The promise behind the bill is simple: clear the tents and the problem goes with them. It will not. A camping ban does not build a single place for anyone to sleep. It hands cities and counties the cost of the bed shortage and leaves them to enforce the ban. The states that went first already show how this plays out.

THE BILL

What *House Bill 437* would actually do

The camping ban began as House Bill 781, which passed the House in May 2025 and stalled in the Senate. In June 2026 a Senate committee moved its language into **House Bill 437**, a bill the House had passed in 2025 to set up drug-free zones around homeless services. Those zones are still in the final bill. The bill would bar any city or county from regularly allowing people to camp or sleep overnight on public property, including parks, sidewalks, rights of way, and the grounds of public buildings. It wouldn't cover sleeping in a registered, insured motor vehicle in a place where it can legally be used, or camping for recreation on land set aside for that purpose.

A city or county could set aside its own land as a sanctioned camp for one continuous year at most, but only after the state Department of Labor certifies the site. To get that certification, the city or county would have to show four things. The first is that local shelters don't have enough open beds for the homeless population. The second is that the site doesn't border land zoned for homes. The third is that the site wouldn't do real harm to the value or safety of other homes and businesses in that city or county, and wouldn't make children less safe. The fourth is that the city or county has a plan to meet the bill's standards. The site has to have restrooms, running water, safety and security, a way to connect people with mental-health and addiction services, and an enforced rule against using alcohol or illegal drugs. A city or county on the Local Government Commission's Unit Assistance List doesn't have to meet those standards. The state would have 45 days to act on a complete request. If it did nothing, the site would be certified anyway on the 45th day.

A city or county that allows regular camping or sleeping on public property could be sued by its own residents or business owners, or by the attorney general. If a resident or business owner wins, the court may award them their legal costs. Before any of that, the city or county would have to be told in writing and given 15 business days to fix the problem. A lawsuit would have to come with a sworn statement that the city or county failed to take all reasonable steps within its powers in that time. Even so, a single resident or business owner could ask a court to order the city or county to enforce the ban.

The bill comes with no money: no state funding for shelter beds, for the sanctioned camps it allows, or for the policing it invites. A sponsor acknowledged that no state money is attached, and said the bill would help state agencies compete better for federal housing and homelessness grants.

In his veto, Governor Stein said the bill hands cities and counties a job with no state money to do it. A local shelter director called the veto a partial win and pressed for what he said the community needs: resources, plus workers and a facility for mental health.

Speaker Destin Hall's office has said the House will override the veto. House Republicans are one vote short of a veto-proof majority on their own, though five Democrats and two unaffiliated members voted for the bill on June 30, 2026. The House put the override on its August 4, 2026 calendar without taking the vote.

If the veto is overridden, the camping section, including the right to sue, still would not take effect until June 30, 2027. Even then, the section wouldn't apply during a state of emergency declared by the governor or a city or county under the state's emergency-management law. Buncombe County's local emergency for Helene, for example, ran from September 25, 2024, to June 30, 2025.

$0	State funding attached to the bill (NC)
1 yr	Longest a sanctioned camp could run without a break (NC)
3	Kinds of people who could sue a city or county that regularly allows camping or sleeping on public property: its residents, owners of businesses there, or the attorney general (NC)

THE ORIGIN

Why this is happening *everywhere at once*

North Carolina did not invent this. In June 2024, in *Grants Pass v. Johnson*, the Supreme Court ruled six to three that a city may punish people for sleeping outside even when there is no shelter bed to send them to. That removed the Eighth Amendment rule the Ninth Circuit had set in *Martin v. Boise*. The rule had kept Western cities in that circuit from enforcing these laws against homeless people when there weren't enough shelter beds they could actually use. In the year that followed, more than 320 bills to criminalize homelessness were introduced across the country, and 230 of them passed.

Many state camping bans came from one template. The Cicero Institute, a think tank that argues **Housing First** has failed, wrote a model camping-ban bill and carried it state to state. North Carolina's version is a close cousin. The same push runs through Washington now. A 2025 executive order is pulling federal money away from permanent housing. We covered that shift, and the roughly $1.4 million of local housing money caught in it, in **Strings Attached**.

THE RECORD

The states that went *first*

Does banning camping reduce homelessness? Where the laws have been in place long enough to judge, the answer is no.

Texas passed the first statewide version in 2021. In Austin, the city's own voter-approved camping ban produced about 280 citations in its first year of enforcement and a single arrest in its first five months. The Texas Tribune reported in August 2022 that homelessness in Austin had grown about 20 percent over the past year. Cleanups there have since run as high as $150,000 apiece. Houston, another Texas city, did bring its homeless count down by putting people in apartments first. Homelessness across the greater Houston area fell roughly 63 percent after 2012. Houston cleared camps only in close coordination with that housing effort.

Tennessee went further in 2022. It became the first state to make camping on local public land, such as parks, a felony. Two years in, a public-records review found four felony arrests statewide, and district attorneys' offices said no one had been prosecuted. Tennessee's one-night count of homeless people did fall, from just over 10,500 in January 2022 to about 8,300 in 2024. But a law used four times in those two years is hard to credit for that. In late 2024, 11 more people were arrested under it in downtown Nashville. By March 2025 nearly all of those charges had been dropped, and the one conviction was a guilty plea to misdemeanor trespass.

Missouri tried the same playbook. Its 2022 ban was struck down by the state's high court at the end of 2023. As of June 2026, it has not been put back on the books. A bill to revive it cleared a Senate committee but never got a floor vote. The law that was supposed to fix the street is simply gone, and the street is unchanged.

A nationwide study of local laws like these looked at camping, panhandling and similar bans in the 100 largest cities. The study found no statistically significant effect on homelessness. If anything, it found a small rise. Still, where a sweep comes with real outreach, it does move some people inside. Austin's housing-focused effort moved more than 1,000 people from camps into shelter. But that is the outreach and the beds doing the work, not the ban. For the ban itself, the record shows the cost and the citations. The drop in homelessness is the part no one has been able to show.

~280
Austin citations in year one; one arrest in the first five months (Austin)

4
Tennessee felony-camping arrests in two years; zero prosecutions (TN)

0
States where a camping ban has been shown to lower homelessness

THE FAIR POINT

Ban supporters have *a point*

An encampment on a sidewalk is a real problem. It isn't safe for the people in it or easy for the people around it. Anyone who cares about keeping a downtown open has a fair reason to want the encampment gone. Being tired of tents that never seem to move is normal, not cruel.

But wanting the tent gone is not the same as having somewhere to put the person. Clearing a camp without a bed to send people to just moves it a few blocks. The people in it lose whatever the sweep destroyed, and they get a citation that makes the next apartment harder to rent.

> *The frustration behind the ban is real.* ***The answer to a tent is a bed, and the ban builds none.***

ASHEVILLE

What it would *cost the county* that obeys it

Buncombe County counted 334 people **unsheltered** in 2026, up from 219 in 2024. Its shelters were already near capacity, with a bed shortage that Helene made worse. Under the bill, a county could open a sanctioned camp only after showing, among other things, that its shelters do not have enough open beds for the people who need them. Here they do not: Asheville was already about 90 shelter beds short in August 2026.

In July 2026 the Salvation Army said its downtown Center of Hope would pause its long-term residential program on November 1, for the first time in nearly 50 years. A grant covering the shelter's $1.2 million annual operating cost expired on June 30, 2026. About 65 people lived there in July 2026, on stays that run from three months to two years. By August 31, 2026, about 20 were still there.

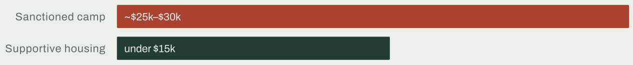
The Salvation Army says the building stays open through the winter as a **Code Purple** cold-night shelter. It also says it hopes to restart the residential program on May 1, 2027, if it can raise the $1.2 million needed. The Salvation Army's local leader told Blue Ridge Public Radio in August 2026 that without that money, the shelter will probably close for good. Losing that program doesn't lower the number of people who need a bed. It means the shelters fill sooner on the nights Code Purple isn't open.

So the county would face a hard choice: clear the tents, or wait to be sued for not clearing them. It could clear them with or without a state-approved camp to send people to. Set up the camp, and the county pays for it with no state money. The bill's standards include restrooms, running water, safety and security, and a way to connect people with mental-health and addiction services. A site that meets them costs about what other cities spend on tiny-home villages and safe-sleeping sites. Realistically that is $25,000 to $30,000 per person each year. Our estimate assumes security guards around the clock. For a camp big enough for everyone the county counted as unsheltered, the cost is roughly $8 to $10 million a year. That count also includes people living in cars and in buildings without utilities, some of whom the ban would not reach. Even a bare-bones site for all 334 people would cost more than $3 million a year. None of it is funded.

That $25,000 to $30,000 per person is higher than the cost of actually housing someone. Homeward Bound's Compass Point is **permanent supportive housing**, which means the apartment is only the start. It comes with a caseworker, help getting into mental-health and addiction treatment, and the steady day-to-day support that keeps a person stable once they are inside. That combination, the home and the help together, is what keeps people there: across Homeward Bound's permanent supportive housing, **more than nine in ten stayed housed in 2025**. Homeward Bound puts the cost of permanent supportive housing at under $15,000 per person a year. A sanctioned camp that meets the bill's standards would cost more than that and give people far less. Access to treatment would be arranged through another agency, and there'd be no apartment, just a tent with services.

OPERATING COST PER PERSON, PER YEAR

Costs more. Houses no one.



Annual cost per person: a sanctioned camp that meets the bill's standards versus Homeward Bound's permanent supportive housing, an apartment paired with a caseworker and treatment. Homeward Bound puts its housing under $15,000 a person; the camp would cost more and house no one. The camp figure is our estimate, based on programs in other cities and on North Carolina wages; bars drawn to scale.

Two more things belong in this comparison. Supportive housing also pays back part of its cost through fewer emergency-room visits and jail nights. And an apartment isn't a fix for everyone. For the hardest cases of serious mental illness or active addiction, it isn't enough by itself. It has to come with treatment. Both of those things point the same way the numbers do: put the money into housing and care, not into managing tents.

And the lawsuits aren't a side issue. Those suits, and any legal costs a court made the city or county pay, would come at a time when the City of Asheville and the county are already stretched thin from the storm. Asheville's state senator, Julie Mayfield, raised a concern about the burden on cities and counties while the Senate weighed the bill, pointing to lawsuits in Asheville.

334

People unsheltered in Buncombe, 2026 count (local)

$8–10M

Yearly cost of a sanctioned camp that meets the bill's standards, big enough for all 334 people, unfunded (local est.)

<$15k

Homeward Bound's estimated yearly cost of permanent supportive housing, per person (local)

THE ALTERNATIVE

If the goal is *fewer tents*

If the point is really to clear the sidewalks, there are things that do it, and a ban is not one of them. Fund the shelter beds the bill doesn't pay for. Keep letting builders put up smaller, cheaper homes, so people stop falling into homelessness faster than anyone can house them. Asheville, for example, allowed duplexes in every residential zoning district in August 2026. Put treatment alongside the housing for the people who need both. And if a county is going to set up a sanctioned camp anyway, fund it for real and build a way out of it, a path into housing, not a year-long lot with a sign on it. Every one of those costs money. So does the ban. The choice is what the money buys.

Eviction defense can help stop homelessness before it starts. Tenants who get a lawyer are less likely to be evicted, and an eviction makes a stay in an emergency shelter more likely. Yet the same legislature that passed this ban wrote its 2026 budget to forbid the State Bar from using the interest on lawyers' trust accounts to fund civil legal aid. The budget steered that money to criminal defense instead. That strips about $6 million a year from Legal Aid of North Carolina and squeezes Pisgah Legal Services, which stands to lose about $1.9 million a year. Pisgah represents low-income Western North Carolina tenants in eviction court. One hand would bar cities and counties from regularly allowing tents, and the other defunds the lawyers who keep people housed.

THE TAKEAWAY

The ban moves the tent. *Housing* empties it.

When a city is made to clear the tent, the shortage behind it just becomes someone else's problem. If Buncombe County opens a camp that meets the bill's standards and is big enough for everyone it counted as unsheltered, it faces roughly $8 to $10 million a year. There's no state money to pay for it. Where a city clears camps by writing citations, as Austin did, the people in them get a ticket instead of a door that locks. In the states that went first, the record is citations, sweeps, lawsuits, and no count shown to have fallen because of a ban. If the veto is overridden, North Carolina will spend real money to learn that the hard way.

Will YOU step up?

Every group in our directory is local, vetted, and doing this work right now. Pick one and back it. →

Read next

Can They Charge the Shelter?

Strings Attached

What Housing First Can and Cannot Do

The library of 3,000+ vetted sources behind our reporting

Use my research →

Sources & notes, and any corrections, are with the piece online: **www.stepupavl.org/files/a-ban-is-not-a-bed**