

California Senate Bill 634

● Senate Bill No. 634 CHAPTER 521

An act to add Section 53069.44 to the Government Code, relating to local government.

[Approved by Governor October 10, 2025. Filed with Secretary of State October 10, 2025.]

LEGISLATIVE COUNSEL'S DIGEST

SB 634, Pérez. Local government: homelessness.

The **California Constitution** authorizes a county or city to make and enforce within its limits all **local, police, sanitary, and other ordinances and regulations not in conflict** with general laws. **Existing law** establishes procedures for the **enactment of ordinances** by counties and cities and makes a violation of a county or city ordinance, as applicable, a **misdemeanor** unless by ordinance it is made an **infraction**.

This bill would **prohibit a local jurisdiction from adopting a local ordinance, or enforcing an existing ordinance**, that prohibits a person or organization from **providing support services, as specified, to a person who is homeless or assisting a person who is homeless with any act related to basic survival**. The bill would define various terms for these purposes.

The bill would include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

SECTION 1. (a) The Legislature finds and **declares all of the following:**

(1) As of 2024, on any given night, over 187,000 people are experiencing homelessness in California, with **data from the state's Homeless Data Integration System** showing over 308,000 people experiencing homelessness accessing services over the course of the year and many more at risk of homelessness.

(2) **Homelessness is a policy failure primarily caused by the unaffordability of housing** in California, with over 1,000,000 extremely low income households spending more than one-half their income on rent, and **not the result of personal failings of people experiencing homelessness.** This **housing crisis** is the result of **decades of failed housing policy, coupled with structural and institutional racism,** and a lack of sufficient investment in **affordable housing and other programs to address homelessness.**

(3) **The solution to homelessness is affordable housing and robust supportive services,** as demonstrated by years of **peer-reviewed research.**

(4) **Data** from the fifth cycle of the Regional Housing Needs Assessment (RHNA) showed that jurisdictions in California needed to add over 277,000 housing units that are affordable to very low income households over the 2013 to 2024 assessment period to keep pace with the need for new housing, but jurisdictions statewide attained only 21 percent of that goal, permitting just over 57,000 units that are affordable to very low income households.

(5) **Data** from the United States Department of Housing and Urban Development's Housing Inventory Count showed that in 2024, despite more than 300,000 people **cycling through** homelessness statewide, California had only 76,000 shelter beds and 79,000 units of permanent supportive housing.

(6) **Homelessness is disproportionately experienced** by Black, Indigenous, and **other groups {Neurodivergent}** in California that have **experienced historical and continued discrimination,** and **excessive penalties related to homelessness contribute** to and exacerbate the racist **outcomes in housing and criminal justice.**

(7) **Arresting, fining, and jailing people experiencing homelessness for the act of living outside and conducting life-sustaining activities does not contribute to ending their homelessness.**

(8) A growing body of research suggests that these responses to homelessness **add additional barriers to ending someone's homelessness**, including causing people to lose touch with case managers, family, and friends seeking to assist them to find housing.

(9) These barriers also include **missing work** and **losing needed income** to get back into housing.

(10) These barriers also include **missing critical health care appointments** that may contribute to **deteriorating health**.

(11) These barriers also include **loss of key property**, including **identification, birth certificates, and other documents that are needed to access subsidized housing, essential services, and public benefits**.

(12) These barriers also include **financial penalties** that can **increase debt, damage credit, and result in bench warrants** that result in additional jail time, all of which detracts from efforts to regain housing.

(13) **Criminalization** also adds risks to the **community-based service provider** organizations and community members working with the population experiencing homelessness, hindering the responsiveness of both publicly funded and other community-based responses to end homelessness.

(b) It is, therefore, the intent of the Legislature in enacting this act to do both of the following:

(1) **Limit penalties that local and state governments may pursue for the performance of acts related to experiencing homelessness, including conducting life-sustaining activities, for the purpose of removing hindrances to ending California's homeless crisis.**

(2) **Not impose any other restrictions on local jurisdictions beyond those set forth in this act.**

SEC. 2. Section 53069.44 is added to the Government Code, to read:

53069.44. (a) Notwithstanding any other law, a local jurisdiction **shall not adopt a local ordinance, or enforce an existing ordinance, that prohibits a person or organization from providing support services**, including legal services or medical care, to a person who is homeless or assisting a person who is homeless with any act related to basic survival.

(b) **For purposes of this section, the following definitions apply:**

(1) (A) **“Act related to basic survival”** includes, but is not limited to, assisting with or providing items to assist with any of the following:

(i) **Eating and drinking**, including provision of food and water.

(ii) **Sleeping**, including provision of blankets and pillows.

(iii) **Protecting oneself from the elements.**

(iv) Other activities and items necessary for immediate **personal health and hygiene.**

(B) Nothing in this definition shall be interpreted to include distribution of plywood or other heavy construction materials.

(2) “Homeless” has the same meaning as defined in Section 578.3 of Title 24 of the Code of Federal Regulations, as that section read on January 10, 2019.

(3) **“Local jurisdiction”** means a city, county, city and county, or special district.

(4) **“Support services” includes nonhousing services** described in paragraph (4) of subdivision (e) of Section 50243 of the Health and Safety Code.

SEC. 3. The Legislature finds and **declares that ensuring a compassionate, evidence-based approach to ending homelessness is a matter of statewide concern rather than**

a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, Section 2 of this act, adding Section 53069.44 to the Government Code, **applies to all cities, including charter cities.**

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