

65.147 Limitations on enforcement of unlawful camping law prohibited -- Civil action by Attorney General.

- (1) A government official or governmental body shall not adopt or enforce any policy under which it directly or indirectly prohibits or discourages the enforcement of any law, order, or ordinance prohibiting unlawful camping as set forth in KRS 511.110.
- (2) A government official or governmental body shall not directly or indirectly prohibit or discourage a peace officer or prosecuting attorney who is employed by or otherwise under its direction or control from enforcing any law, order, or ordinance prohibiting unlawful camping as set forth in KRS 511.110.
- (3) This section shall not be interpreted or construed to:
 - (a) Prohibit a policy that encourages diversion programs or offering of services in lieu of citation or arrest;
 - (b) Prohibit or otherwise interfere with general orders or decisions that involve resource allocation or prioritization made by a governmental official or governmental body;
 - (c) Create any cause of action; or
 - (d) Permit a peace officer to disobey an instruction, order, or command from an officer or official within his or her chain of command.
- (4) The Attorney General may bring a civil action in any court of competent jurisdiction against any government official or governmental body to enjoin it from violating this section.
- (5) The Attorney General may recover reasonable expenses incurred in any civil action brought under this section, including court costs, reasonable attorney's fees, investigative costs, witness fees, and deposition costs.

Effective: July 15, 2024

History: Created 2024 Ky. Acts ch. 174, sec. 20, effective July 15, 2024.