



HHCK Statement on Final Passage of HB 5

As the legislature passes House Bill 5, an omnibus bill with the stated aim of improving public safety, HHCK reiterates what we have warned since the presentation of the bill in December: Kentuckians, including our neighbors experiencing homelessness, will be unnecessarily harmed by its passage. HHCK, along with our advocacy and direct service partners, has sounded the alarm for years that our Commonwealth has woefully underfunded investments in housing for our most vulnerable neighbors.

HB 5 will create criminal penalties carrying fines and jail time for people charged with “street camping.” HB 5 will allow cities and counties to create sanctioned encampments but provides no resources for actual shelter and housing. HB 5 will allow a legally justifiable defense for violence, explicitly including deadly force, against people who are experiencing homelessness. In our cities, we do not have enough shelter beds, and in many counties, we have no shelters at all. People who cannot access shelter will by default be in violation of this law. We urge Governor Beshear to veto the measure.

The anti-homeless provisions are part of a well-funded, coordinated [campaign](#) across state legislatures that seeks to further punish individuals for experiencing unsheltered homelessness and undermine evidence-based approaches to solving homelessness. To see how this will play out, we need only look to our neighbors in [Missouri](#). The recent rise in homelessness in Kentucky can be traced to the double-digit rent increases caused by [the severe housing shortage](#). Truly solving homelessness and creating safe Kentucky communities starts with addressing the housing shortage, and communities and states ignore that fundamental need at their peril.

All of this is happening under the shadow of the [Johnson v. Grants Pass](#) case currently before the Supreme Court, which may determine whether it is even constitutional for governments to criminalize homelessness when adequate shelter is at capacity or does not exist. Regardless, our collective work to solve homelessness and affirm that housing is indeed a human right continues. We will continue to educate policymakers about effective solutions to homelessness and advocate for a housing system that works for all Kentuckians.