



House of Representatives

General Assembly

File No. 409

February Session, 2026

Substitute House Bill No. 5235

House of Representatives, April 7, 2026

The Committee on Transportation reported through REP. BERGER-GIRVALO of the 111th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING NOTICE REQUIREMENTS AND STANDARDS FOR THE REMOVAL OF ENCAMPMENTS ON PROPERTY UNDER THE CONTROL OF THE DEPARTMENT OF TRANSPORTATION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (NEW) (*Effective from passage*) (a) As used in this section:
- 2 (1) "Removal" means the clearing of an encampment, or a portion
3 thereof, by the Department of Transportation or an agent or contractor
4 of the department and includes, but is not limited to, requiring persons
5 to vacate the property and collecting, relocating, discarding or disposing
6 of any structures or materials used for habitation and personal property;
- 7 (2) "Encampment" means any outdoor location where one or more
8 persons sleep, reside or store personal property using tents, tarps,
9 bedding or other temporary shelter or structures for the purposes of
10 habitation. "Encampment" does not include a campground or other
11 location that is designated or authorized for recreational camping by a
12 federal, state or municipal agency or by a private property owner and
13 where camping occurs; and

14 (3) "Personal property" means an item that can reasonably be
15 identified as belonging to a person, has apparent value or utility and is
16 not hazardous.

17 (b) Except as provided in subsection (c) of this section, prior to the
18 removal of an encampment located upon any state highway right-of-
19 way or real property owned by the state and in the custody and control
20 of the Department of Transportation, the department shall provide at
21 least fourteen days' written notice that specifies the date and time such
22 removal will take place and that no person or personal property is
23 permitted to remain on the state highway right-of-way or real property
24 after such date. The department shall, at a minimum, post any such
25 notice at the apparent place of ingress and egress to the encampment
26 and at any apparent common area of the encampment. Such notice shall
27 be printed in English and Spanish. When posting such notice, the
28 department may provide oral or written notice to any person present at
29 the encampment.

30 (c) The notice required by subsection (b) of this section shall not be
31 required if the Commissioner of Transportation determines the removal
32 of an encampment is necessary to respond to any transportation
33 operations or infrastructure emergency or a public safety emergency.
34 The commissioner shall document, in writing, the reasons for such
35 determination.

36 Sec. 2. (*Effective from passage*) (a) As used in this section, "removal",
37 "encampment" and "personal property" have the same meanings as
38 provided in section 1 of this act.

39 (b) The Commissioners of Transportation and Mental Health and
40 Addiction Services shall jointly study and make recommendations
41 regarding best practices and standards to adhere to when responding
42 to, managing or removing an encampment upon any state highway
43 right-of-way or real property owned by the state and in the custody and
44 control of the Department of Transportation.

45 (c) Such study shall, at a minimum, identify: (1) Best practices from

46 other states or municipalities regarding (A) the provision of advance
 47 notices concerning the removal of an encampment to a person residing
 48 at such encampment, including methods and reasonable timeframes for
 49 providing such notices and the frequency of such notices, and (B) the
 50 treatment of personal property during a removal of an encampment, (2)
 51 procedures for outreach and engagement by trained personnel that
 52 ensure respect for the personal dignity and property of persons at such
 53 encampments, (3) appropriate state and local agencies to offer
 54 immediate assistance and support to such persons for emergency
 55 shelters, transitional housing or permanent housing, social services or
 56 other interventions prior to and during the removal of an encampment,
 57 (4) guidance, training or technical assistance that could be provided to
 58 state and local agencies and municipalities regarding humane and
 59 effective practices for responding to, managing and removing such
 60 encampments, and (5) ways to ensure coordination with the
 61 municipality where the encampment is located, community-based
 62 organizations serving persons experiencing homelessness, local
 63 housing authorities, other local service providers and the local law
 64 enforcement agency, as appropriate, prior to the removal of an
 65 encampment.

66 (d) Not later than January 15, 2027, the Commissioners of
 67 Transportation and Mental Health and Addiction Services shall jointly
 68 submit, in accordance with provisions of section 11-4a of the general
 69 statutes, the results of such study and any recommendations to the joint
 70 standing committee of the General Assembly having cognizance of
 71 matters relating to transportation.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section

TRA *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill has no fiscal impact as described below.

Section 1 has no fiscal impact by requiring the Department of Transportation (DOT) to provide the necessary notice before removing an encampment located on any state road or DOT-controlled property. The bill generally conforms to current agency practices.

Section 2 has no fiscal impact as both DOT and the Department of Mental Health and Addiction Services (DMHAS) have the necessary expertise to jointly study and make recommendations on best practices and standards to use when responding to, managing, or removing the encampments described in the bill.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 5235****AN ACT CONCERNING NOTICE REQUIREMENTS AND STANDARDS FOR THE REMOVAL OF ENCAMPMENTS ON PROPERTY UNDER THE CONTROL OF THE DEPARTMENT OF TRANSPORTATION.****SUMMARY**

This bill establishes a notice requirement applicable to the Department of Transportation's (DOT) (or their agents' or contractors') removal of certain encampments. A "removal" is the full or partial clearing of these sites, including requiring people to leave the property and collecting, relocating, discarding, or disposing of habitation-related structures or materials and personal property.

The bill generally requires DOT, before removing an encampment located on any state road right-of-way or state-owned, DOT-controlled property, to give at least 14 days' written notice stating (1) the removal's date and time and (2) that no person or personal property can remain on the right-of-way or property after the removal date. DOT must at least post this notice, printed in English and Spanish, at the encampment's apparent entry, exit, and common areas. When doing so, the department may also give oral or written notice to anyone present.

The bill (1) exempts DOT from this notice requirement if the commissioner determines the removal is needed due to a transportation operations, infrastructure, or public safety emergency and (2) requires him to document the reasons for the determination in writing.

The bill also requires the DOT and Department of Mental Health and Addiction Services (DMHAS) commissioners to jointly study and make recommendations on best practices and standards to use when responding to, managing, or removing the encampments described above.

Under the bill, an “encampment” is any outdoor location where at least one person sleeps, lives, or stores personal property (items that can reasonably be identified as personal belongings, have apparent value or utility, and are not hazardous) using tents, tarps, bedding, or other temporary shelter or structures for habitation. It does not include a campground or other location authorized for recreational camping by a federal, state, or municipal agency or a private property owner.

EFFECTIVE DATE: Upon passage

DOT AND DMHAS ENCAMPMENT STUDY

The bill requires the DOT and DMHAS commissioners’ encampment study to at least identify:

1. best practices from other states or municipalities on (a) providing advance removal notices to someone living at an encampment, including methods and reasonable timeframes for giving these notices and their frequency and (b) personal property treatment during an encampment removal;
2. outreach and engagement procedures for trained personnel that ensure respect for the personal dignity and property of those living at an encampment;
3. appropriate state and local agencies to offer immediate assistance and support to these individuals, both before and during an encampment removal, for emergency shelters, transitional or permanent housing, social services, or other interventions;
4. guidance, training, or technical assistance for state and local agencies and municipalities on humane and effective practices for responding to, managing, and removing encampments; and
5. ways to coordinate, before an encampment removal and as appropriate, with the municipality, community-based organizations serving people experiencing homelessness, housing authorities, other local service providers, and local law

enforcement.

The bill requires the commissioners, by January 15, 2027, to jointly submit the study results and any recommendations to the Transportation Committee.

BACKGROUND

DOT Homeless Encampment Policy

In September 2022, DOT formally adopted an internal homeless encampment policy under which individuals experiencing homelessness are given at least 72 hours' notice before an encampment site cleanup (including reasonable protection to retain and relocate personal property). These individuals are also connected with DOT's Transit Homeless Outreach Program (T-HOP), implemented in partnership with DMHAS and the Department of Housing (DOH), to facilitate access to shelter, warming centers, substance use treatment, and mental health facilities.

Interagency Council on Homelessness

PA 25-52 established in statute the interagency council on homelessness, which is charged with advising and assisting the DOH commissioner to improve homelessness prevention and response efforts. The DMHAS commissioner is a regular member of the council and the DOT commissioner is authorized to participate as an ad hoc member, as determined by the DOH commissioner.

Related Bill

HB 5260 (File 161), reported favorably by the Housing Committee, generally prohibits municipalities from adopting or enforcing ordinances that prohibit a homeless person from using municipally controlled, publicly accessible outdoor areas for certain activities. The bill's restriction on ordinances generally does not apply to state-owned property in DOT's custody.

COMMITTEE ACTION

Transportation Committee

Joint Favorable Substitute

Yea 34 Nay 2 (03/16/2026)