



## CITY OF LAGUNA NIGUEL

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## CITY COUNCIL

Mayor Ray Gennawey  
Mayor Pro Tem Gene Johns  
Council Member Kelly Jennings  
Council Member Stephanie Oddo  
Council Member Stephanie Winstead

April 23, 2025

The Honorable Maria Elena Durazo  
Chair, Senate Local Government Committee  
California State Capitol, Room 407  
Sacramento, CA 95814

**SUBJECT: SB 634 (Pérez) Homelessness: civil and criminal penalties**  
**Notice of Opposition (As Amended 03/26/2025)**

Dear Senator Durazo,

The City of Laguna Niguel must respectfully oppose SB 634 (Pérez), which would prohibit local jurisdictions from adopting or enforcing ordinances to address homelessness. While we recognize the bill's intent, SB 634 would severely limit cities' ability to respond to the growing homelessness crisis in communities across California.

Cities are implementing balanced approaches that protect both the rights of individuals experiencing homelessness and the broader community's needs for clean, safe, and accessible public spaces. SB 634 hinders this progress by prohibiting local governments from adopting any regulation, policy, or guidance that imposes civil or criminal penalties on a person experiencing homelessness. By eliminating all enforcement mechanisms, SB 634 gives people the right to stand, sit, lay, sleep, or put up a tent in any public place.

Cities have been sued by business owners for allowing encampments to block access to businesses and by disability rights advocates over encampments that have obstructed sidewalks and public spaces. Without the ability to use civil or criminal enforcement remedies, cities would face increased legal liability and, more importantly, have no meaningful way to respond to urgent health and safety concerns. The City of Laguna Niguel recognizes that we must remain focused on connecting unhoused residents to housing and services. The City of Laguna Niguel has showcased that commitment by dedicating a full-time staff member to homeless intervention and prevention services throughout the city. Still, cities need basic tools to meet their legal obligations and protect public spaces.

SB 634 directly contradicts cities' efforts to address encampments in response to the Governor's November 2024 executive order. The order directed state departments and agencies to adopt policies to address homeless encampments on state properties and encouraged local governments to adopt similar policies or risk losing access to state homelessness funding. Cities want to help the state realize our shared vision of reducing homelessness and supporting our most vulnerable residents. However, SB 634 leaves cities without any enforcement tools, hindering cities' ability to carry out the Governor's directive and jeopardizing state funding cities receive to address homelessness.

Local jurisdictions are already working within a complex and evolving legal landscape, including recent federal court decisions like *Johnson v. Grants Pass*, which clarified constitutional limits on how cities can address homelessness through enforcement actions. SB 634 directly undermines this decision by stripping local governments of the authority to tailor enforcement strategies to their unique circumstances. It also disregards the years of legal effort cities have invested to gain the clarity now provided by the Court.

The City of Laguna Niguel urges the Legislature to support policies that empower local governments to act with compassion and urgency — not tie their hands behind their backs. For these reasons, the City of Laguna Niguel must **oppose SB 634 (Pérez)**. Should you have any questions about our position, please contact Kevin O'Connor, Management Assistant, at [koconnor@cityoflagunaniguel.org](mailto:koconnor@cityoflagunaniguel.org).

Sincerely,



Ray Gennawey  
Mayor

Cc: Senate Judiciary Committee