

SENATE BILL No. 84

February 1, 2017, Introduced by Senator JOHNSON and referred to the Committee on Local Government.

A bill to establish a bill of rights for the homeless; and to provide a remedy for violation of those rights.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the "bill
2 of rights for the homeless act".

3 Sec. 2. It is the long-standing policy of this state that an
4 individual should not suffer unnecessarily from cold or hunger, be
5 deprived of shelter or the basic rights incident to shelter, or be
6 subject to unfair discrimination based on his or her homeless
7 status. Many individuals are homeless as a result of economic
8 hardship, a severe shortage of safe and affordable housing, and a
9 shrinking social safety net. In particular, youth aged 13 to 15 and
10 young adults aged 16 to 23 often suffer from deprivation because
11 they are homeless or perceived as being homeless. It is the intent
12 of this act to lessen the adverse effects and conditions caused by

1 the lack of a residence or a home.

2 Sec. 3. (1) An individual's rights, privileges, or access to
3 public services shall not be denied or abridged solely because he
4 or she is homeless or perceived as being homeless. An individual
5 who is homeless shall be granted the same rights and privileges as
6 any other citizen of this state. An individual experiencing
7 homelessness has all of the following rights:

8 (a) The right to use and move freely in public spaces,
9 including, but not limited to, public sidewalks, public parks,
10 public transportation, and public buildings, in the same manner as
11 any other individual and without discrimination on the basis of his
12 or her housing status.

13 (b) The right to equal treatment by all state and municipal
14 agencies, without discrimination on the basis of housing status.

15 (c) The right to freedom from discrimination in employment
16 because of the lack of a permanent mailing address or having a
17 mailing address that is a shelter or social service provider.

18 (d) The right to emergency medical care free from
19 discrimination based on housing status.

20 (e) If the individual is a United States citizen, the right to
21 vote, register to vote, and receive documentation necessary to
22 prove identity for voting without discrimination due to housing
23 status.

24 (f) The right to protection from disclosure to state,
25 municipal, or private entities without appropriate legal authority
26 of his or her records or information that was provided to a
27 homeless shelter or service provider; and the right to

1 confidentiality of personal records and information in accordance
2 with all limitations on disclosure established by requirements
3 under a federal homeless management information system, the health
4 insurance portability and accountability act of 1996, Public Law
5 104-191, or the violence against women act of 1994, Public Law 103-
6 322.

7 (g) The right to a reasonable expectation of privacy in his or
8 her personal property to the same extent as personal property in a
9 permanent residence.

10 (h) The right, if a homeless youth, to be enrolled in school
11 without delay or discrimination because of housing status.

12 (2) As used in this section, "housing status" means the status
13 of having or not having a fixed or regular residence, including the
14 status of living on the streets, in a shelter, or in a temporary
15 residence.

16 Sec. 4. In a civil action alleging a violation of this act,
17 the court may award appropriate injunctive and declaratory relief,
18 actual damages, and reasonable attorney fees and costs to a
19 prevailing plaintiff.

20 Enacting section 1. This act takes effect 90 days after the
21 date it is enacted into law.