



1

HOUSE RESOLUTION 412

2           WHEREAS, It is the long-standing policy of this State that  
3 no person should suffer unnecessarily from cold or hunger, or  
4 be deprived of shelter or the basic rights incident to shelter;  
5 and

6           WHEREAS, At the present time, many persons have been  
7 rendered homeless as a result of economic adversity, a severe  
8 shortage of affordable housing, and increased stress due to the  
9 complexity of daily living that has created an inability on the  
10 part of those persons to interact in society; and

11           WHEREAS, It is the intent of the House of Representatives  
12 to lessen the adverse affects and conditions caused by the lack  
13 of residence or a home; and

14           WHEREAS, No person's rights, privileges, or access to  
15 public services should be denied or abridged solely because he  
16 or she is homeless; such a person should be granted the same  
17 rights and privileges as any other citizen of this State; and

18           WHEREAS, These rights include but are not limited to the  
19 following:

20           (1) a person's right to live in any community in this  
21 State in which he or she can afford to live;

22           (2) a person's right to choose a type of living  
23 arrangements in accordance with local regulations without  
24 harassment or interference from any other citizen or from  
25 any public or private entity;

26           (3) a person's right to employment and training  
27 opportunities in accordance with his or her interests and  
28 abilities;

29           (4) a person's right to access to emergency medical  
30 health services in any health care facility doing business  
31 in this State;

1 (5) a person's right to manage his or her own personal  
2 finances notwithstanding his or her living arrangements,  
3 unless (i) the person voluntarily signs a written  
4 agreement, sworn to and witnessed before a notary public,  
5 authorizing an individual or agency to manage his or her  
6 finances, (ii) the person resides in a shelter for homeless  
7 persons and has enrolled in a savings program designed to  
8 provide rent money upon the person's departure from the  
9 shelter, or (iii) the person has been ruled or adjudicated  
10 by a court of competent jurisdiction to be incompetent to  
11 manage his or her financial affairs;

12 (6) a person's right to not be coerced or penalized in  
13 any way for not taking any medication or for not undergoing  
14 any medical treatment that has not been authorized by a  
15 qualified physician;

16 (7) in the case of a group living arrangement or  
17 long-term care facility, a person's right to receive and  
18 sign any check, voucher, or other warrant or legal tender  
19 issued in his or her name before the moneys may be expended  
20 by the person's landlord or a public or private agency,  
21 unless the person waives the right in a writing sworn to  
22 before a notary public; if the person is unable to sign his  
23 or her name, the person may make his or her signature with  
24 an "X" that is witnessed by 2 other persons not employed or  
25 directly associated with the landlord or agency,  
26 preferably a relative or guardian of the person or someone  
27 designated by the person beforehand;

28 (8) a person's right to vote, which may not be denied  
29 solely because the person does not have a permanent  
30 residence;

31 (9) a person's right of visitation with family members,  
32 friends, clergy, and professional or public consultants  
33 notwithstanding the person's living arrangements, as long  
34 as the visitation does not interfere with the smooth  
35 operation of the person's place of residence;

36 (10) a person's right to receive public services or

1 accommodations offered to any other citizen of this State  
2 in accordance, with established eligibility guidelines for  
3 those services; and

4 (11) a person's right to confidentiality of records;  
5 homeless shelters should obtain a voluntary written  
6 release from a homeless person prior to disclosing any  
7 personal information regarding the homeless person,  
8 including, but not limited to, name, social security  
9 number, and birth date, except in aggregate form; the right  
10 to confidentiality of records includes the dissemination  
11 of materials to other agencies, either private or public;  
12 and the homeless person should be given the option of  
13 whether to release records via informed consent, based on  
14 guidelines from the Office of Human Research Protections,  
15 United States Department of Health and Human Services,  
16 including:

17 (A) the expected duration of the subject's  
18 participation;

19 (B) an explanation of whom to contact for answers  
20 to pertinent questions about the research and research  
21 subjects' rights, and whom to contact in the event of a  
22 research-related injury to the subject;

23 (C) a statement that participation in releasing  
24 records is voluntary, refusal to participate will  
25 involve no penalty or loss of benefits to which the  
26 subject is otherwise entitled, and the subject may  
27 discontinue participation in the record release at any  
28 time without penalty or loss of benefits to which the  
29 subject is otherwise entitled;

30 (D) a description of any reasonably foreseeable  
31 risks or discomforts to the subject; and

32 (E) a statement describing the extent, if any, to  
33 which confidentiality of records identifying the  
34 subject will be maintained; therefore, be it

35 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE

1 NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that  
2 the House Task Force on the Rights of Homeless Persons is  
3 established, to consist of 6 members, 3 appointed by the  
4 Speaker of the House of Representatives and 3 appointed by the  
5 Minority Leader of the House of Representatives; the Speaker  
6 shall designate one of his appointees as the chairperson; and  
7 the members shall serve without compensation but shall be  
8 reimbursed for their reasonable and necessary expenses from  
9 moneys appropriated for that purpose; and be it further

10 RESOLVED, That the Task Force shall study ways in which the  
11 Department of Public Health could monitor and enforce the  
12 rights of homeless persons set forth in this Resolution,  
13 including ways in which the Department could utilize one or  
14 more local health departments or local health officers to  
15 monitor and enforce those rights; and be it further

16 RESOLVED, That the Task Force shall also study ways in  
17 which the Department of Commerce and Economic Opportunity could  
18 establish priorities of eligibility for temporary rental or  
19 other housing assistance among the various categories of  
20 persons needing assistance in obtaining or retaining housing,  
21 including, without limitation, persons subject to immediate  
22 eviction for nonpayment of rent or subject to foreclosure for  
23 nonpayment of mortgage installments or property taxes, when  
24 nonpayment is attributable to illness, unemployment,  
25 underemployment, or any other failure of lack of resources  
26 beyond the person's control; and be it further

27 RESOLVED, That the Task Force shall receive the assistance  
28 of legislative staff and shall report its findings to the House  
29 of Representatives on or before January 12, 2005.