



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB3939

Introduced 11/27/2012, by Sen. Pamela J. Althoff

SYNOPSIS AS INTRODUCED:

New Act

Creates the Homeless Veterans Shelter Act. Provides that a homeless veteran performing services shall be compensated at the current prevailing wage rate and that training or education programs for homeless veterans that are sponsored by halfway houses, shelters, or transitional housing programs shall be licensed and certified by the State. Establishes inspection, registration, and licensing standards for halfway houses, shelters, and transitional housing programs that provide services for homeless veterans. Provides that homeless veterans that are employed and earning wages shall be charged a reasonable minimum rent to cover room and utilities. Requires organizations that engage in job preparation or temporary laborer or job placement services to be licensed in accordance with the Day and Temporary Labor Services Act and the Private Employment Agency Act. Requires shelters run by local and non-profit entities that provide services to homeless veterans to comply with specified program standards. Defines terms. Effective January 1, 2013.

LRB097 23475 KTG 72405 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning housing.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Homeless Veterans Shelter Act.

6 Section 5. Purpose. The purpose of this Act is to protect
7 the rights of homeless veterans that reside in halfway houses,
8 shelters, or transitional housing. Many homeless veterans face
9 barriers to employment and a stable environment. The State
10 recognizes the need to provide protection and oversight to
11 remove such barriers by established resources. To better
12 protect homeless veterans this Act will provide for the
13 licensing of halfway houses, shelters, and transitional
14 housing programs that service homeless veterans, and for the
15 oversight of such facilities and programs by local housing and
16 community mental health boards. By providing a professional
17 means of removing the barriers homeless veterans face in their
18 efforts to secure adequate housing and stable employment, the
19 goal of this Act is to ensure homeless veterans reenter society
20 as protective citizens.

21 Section 10. Definitions. As used in this Act, unless the
22 context indicates otherwise:

1 "Acceptance" means a mutual agreement, verbal or written,
2 between employee and employer as to starting salary, position,
3 time, and place of employment.

4 "Applicant" means any person who uses the services of an
5 employment agency to secure employment for himself or herself.

6 "Day and temporary labor" means work performed by a day or
7 temporary laborer for a third-party client, the duration of
8 which may be specific or undefined pursuant to a contract or
9 understanding between the day and temporary labor service
10 agency and the third-party client. Day and temporary labor does
11 not include labor or employment of a professional or clerical
12 nature.

13 "Day and temporary labor service agency" means any person
14 or entity engaged in the business of employing day or temporary
15 laborers to provide services, for a fee, to or for any
16 third-party client pursuant to a contract with the day and
17 temporary labor service agency and the third-party client.

18 "Day or temporary laborer" means a natural person who
19 contracts for employment with a day and temporary labor service
20 agency.

21 "Employee" means any person performing or seeking to
22 perform work or services of any kind or character whatsoever
23 for hire.

24 "Employer" means any person employing or seeking to employ
25 any person for hire.

26 "Employment agency" means any person engaged for gain or

1 profit in the business of securing or attempting to secure
2 employees for employers or employment for persons seeking
3 employment. However, employment agency shall not include any
4 person engaged in the business of consulting or recruiting, and
5 who in the course of such business is compensated solely by any
6 employer to identify, appraise, or recommend an individual or
7 individuals who are at least 18 years of age or who hold a high
8 school diploma for consideration for a position, provided that
9 in no instance is the individual who is identified, appraised,
10 or recommended for consideration for such position charged a
11 fee directly or indirectly in connection with such
12 identification, appraisal, or recommendation, or for
13 preparation of any resume, or on account of any other personal
14 service performed by the person engaged in the business of
15 consulting or recruiting.

16 "Employment counselor" means an employee of an employment
17 agency who interviews, counsels, or advises applicants or
18 employers or both on employment or allied problems, or who make
19 or arrange contracts or contacts between employers and
20 employees. Employment counselor includes employees who solicit
21 orders for employees from prospective employers.

22 "Fee" means money or a promise to pay money and includes
23 the excess of money received by any such licensee over what he
24 or she has paid for transportation, transfer of baggage, or
25 lodging for any applicant for employment. Fee also means and
26 includes the difference between the amount of money received by

1 any person who furnishes employees or performers for any
2 entertainment, exhibition, or performance, and the amount paid
3 by the person receiving the amount of money to the employees or
4 performers whom he hires to give such entertainment,
5 exhibition, or performance.

6 "Privilege" means the furnishing of food, supplies, tools,
7 or shelter to contract laborers, commonly known as commissary
8 privileges.

9 "Third-party client" means any person that contracts with a
10 day and temporary labor service agency for obtaining day or
11 temporary laborers.

12 "Person" means any natural person, firm, partnership,
13 co-partnership, Limited Liability Company, corporation,
14 association, business trust, or other legal entity, or its
15 legal representatives, agents, or assigns.

16 "Shelter" means a primary nighttime residence that is any
17 of the following:

18 (i) A supervised publicly or privately operated
19 shelter designed to provide temporary living
20 accommodations, including welfare hotels, congregate
21 shelters, and transitional housing.

22 (ii) An institution that provides a temporary
23 residence for individuals intended to be rehabilitated for
24 employability.

25 (iii) A public or private place not designed for, or
26 ordinarily used as, a regular sleeping accommodation for

1 human beings. Shelter programs in Illinois consist of:

2 Overnight shelters: a place to sleep for less than
3 12 hours. Meals and supportive services are available.

4 Transitional shelters: shelter for up to 2 years
5 with food and supportive services.

6 Emergency shelters: provided by hotels and motels
7 through a voucher program when shelters are full or not
8 available.

9 Section 15. Prevailing wage. A homeless veteran performing
10 services shall be compensated at the current prevailing wage
11 rate.

12 Section 20. Training; education. Training or education
13 programs for homeless veterans that are sponsored by halfway
14 houses, shelters, or transitional housing programs shall be
15 licensed and certified by the State of Illinois.

16 Section 25. Annual inspections; registration or licensing.

17 (a) All halfway houses, shelters, and transitional housing
18 used as living accommodations for homeless veterans shall be
19 inspected annually by the local health, fire, and building
20 departments.

21 (b) All halfway houses, shelters, and transitional housing
22 programs that provide mental health services to homeless
23 veterans shall be supervised and annually inspected by the

1 local community mental health board.

2 (c) Shelters engaged in providing labor or employment
3 placement for homeless veterans shall be registered or licensed
4 in accordance with the Day and Temporary Labor Services Act and
5 the Private Employment Agency Act.

6 (d) Shelters contracting to provide day or temporary labor
7 shall be in compliance with the provisions of the Day and
8 Temporary Labor Services Act.

9 Section 30. Rent. Homeless veterans that are employed and
10 earning wages shall be charged a reasonable minimum rent to
11 cover room and utilities.

12 Section 35. Job placement services; shelter programs.

13 (a) Organizations that engage in job preparation or
14 temporary laborer or job placement services shall be licensed
15 in accordance with the Day and Temporary Labor Services Act and
16 the Private Employment Agency Act.

17 (b) Shelters run by local and non-profit entities that
18 provide services to homeless veterans shall comply with the
19 following program standards:

20 (1) The shelter must meet all local building
21 requirements to ensure that they are safe and humane
22 environments.

23 (2) Programs provided by the shelter must meet local
24 community needs.

1 (3) The shelter must demonstrate that its programs
2 provide quality services and appropriate referrals to
3 assist homeless veterans.

4 (4) The shelter must strengthen its interaction and
5 cooperation with private agencies to provide an efficient
6 and effective system for the delivery of services.

7 (5) New and varied methods of delivering services must
8 be encouraged to provide adequate shelter to homeless
9 veterans.

10 Section 99. Effective date. This Act takes effect January
11 1, 2013.