



Rep. Emanuel Chris Welch

**Filed: 5/1/2013**

09800SB1210ham001

LRB098 07470 KTG 45254 a

1 AMENDMENT TO SENATE BILL 1210

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1210 by replacing  
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the Bill  
5 of Rights for the Homeless Act.

6 Section 5. Legislative intent. It is the long-standing  
7 policy of this State that no person should suffer unnecessarily  
8 from cold or hunger, be deprived of shelter or the basic rights  
9 incident to shelter, or be subject to unfair discrimination  
10 based on his or her homeless status. At the present time, many  
11 persons have been rendered homeless as a result of economic  
12 hardship, a severe shortage of safe and affordable housing, and  
13 a shrinking social safety net. It is the intent of this Act to  
14 lessen the adverse effects and conditions caused by the lack of  
15 residence or a home.

1 Section 10. Bill of Rights.

2 (a) No person's rights, privileges, or access to public  
3 services may be denied or abridged solely because he or she is  
4 homeless. Such a person shall be granted the same rights and  
5 privileges as any other citizen of this State. A person  
6 experiencing homelessness has the following rights:

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

12 (2) the right to equal treatment by all State and  
13 municipal agencies, without discrimination on the basis of  
14 housing status;

15 (3) the right not to face discrimination while  
16 maintaining employment due to his or her lack of permanent  
17 mailing address, or his or her mailing address being that  
18 of a shelter or social service provider;

19 (4) the right to emergency medical care free from  
20 discrimination based on his or her housing status;

21 (5) the right to vote, register to vote, and receive  
22 documentation necessary to prove identity for voting  
23 without discrimination due to his or her housing status;

24 (6) the right to protection from disclosure of his or  
25 her records and information provided to homeless shelters  
26 and service providers to State, municipal, and private

1 entities without appropriate legal authority; and the  
2 right to confidentiality of personal records and  
3 information in accordance with all limitations on  
4 disclosure established by the federal Homeless Management  
5 Information Systems, the federal Health Insurance  
6 Portability and Accountability Act, and the federal  
7 Violence Against Women Act; and

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

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

15 Section 15. Damages and attorney's fees. In any civil  
16 action alleging a violation of this Act, the court may award  
17 appropriate injunctive and declaratory relief, actual damages,  
18 and reasonable attorney's fees and costs to a prevailing  
19 plaintiff.

20 Section 99. Effective date. This Act takes effect upon  
21 becoming law."