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H.211

Introduced by Representatives Stevens of Waterbury, Ram of Burlington,  
Berry of Manchester, Bissonnette of Winooski, Carr of  
Brandon, Chesnut-Tangerman of Middletown Springs, Christie  
of Hartford, Cole of Burlington, Condon of Colchester, Connor  
of Fairfield, Evans of Essex, Gonzalez of Winooski, Grad of  
Moretown, Hooper of Montpelier, Jewett of Ripton, Krowinski  
of Burlington, Lenes of Shelburne, Lucke of Hartford, Macaig  
of Williston, Martin of Wolcott, Masland of Thetford,  
McCullough of Williston, Nuovo of Middlebury, O’Sullivan of  
Burlington, Patt of Worcester, Poirier of Barre City, Rachelson  
of Burlington, Ryerson of Randolph, Sheldon of Middlebury,  
Stuart of Brattleboro, Sullivan of Burlington, Till of Jericho,  
Townsend of South Burlington, Walz of Barre City, and  
Woodward of Johnson

Referred to Committee on

Date:

Subject: Human rights; discrimination; homelessness

Statement of purpose of bill as introduced: This bill proposes to establish a  
homeless bill of rights and prohibit discrimination against people without  
homes.

1 An act relating to establishing a homeless bill of rights and prohibiting  
2 discrimination against people without homes

3 It is hereby enacted by the General Assembly of the State of Vermont:

4 Sec. 1. FINDINGS

5 The Vermont General Assembly finds that:

6 (1) At the present time, many persons have been rendered homeless as a  
7 result of economic hardship; a shortage of safe, affordable housing; and a  
8 shrinking social safety net.

9 (2) Chapter I, Article 1 of the Constitution of the State of Vermont states  
10 that Vermonters are “equally free and independent” and Chapter I, Article 7  
11 states that all Vermonters are entitled to the same benefits and protections. As  
12 a result, a person should not be subject to unfair discrimination based on his or  
13 her housing status or being homeless.

14 (3) It is the intent of this act to mitigate both the discrimination people  
15 without homes face and the adverse effects individuals and communities suffer  
16 when a person lacks a home.

17 Sec. 2. 1 V.S.A. § 274 is added to read:

18 § 274. HOMELESS BILL OF RIGHTS

19 (a) A person’s rights, privileges, or access to public services may not be  
20 denied or abridged solely because he or she is without housing or because of  
21 housing status. Such a person shall be granted the same rights and privileges  
22 as any other resident of this State.

1       (b) A person without housing shall have the right:

2               (1) To use and move freely in public spaces, including public sidewalks,  
3       parks, transportation, and buildings, in the same manner as any other person,  
4       and without discrimination on the basis of his or her housing status.

5               (2) To equal treatment by all State and municipal agencies without  
6       discrimination on the basis of housing status or homelessness.

7               (3) Not to face discrimination while seeking or maintaining employment  
8       due to his or her lack of a permanent mailing address, or his or her mailing  
9       address being that of a shelter or social service provider.

10              (4) To emergency medical care free from discrimination based on his or  
11       her housing status or homelessness.

12              (5) To vote, register to vote, and receive documentation necessary to  
13       prove identity for voting without discrimination due to his or her housing  
14       status or homelessness.

15              (6) To confidentiality of personal records and information in accordance  
16       with all limitations on disclosure established by State and federal law,  
17       including the Federal Homeless Management Information Systems, the Federal  
18       Health Insurance Portability and Accountability Act, and the Federal Violence  
19       Against Women Act. In particular, victims of domestic and sexual violence  
20       and stalking who are homeless have the right to safety and confidentiality. No  
21       identifying information pertaining to such victims shall be released without a

1 written release unless the disclosure of the information is required by State or  
2 federal law or a court order.

3 (7) To a reasonable expectation of privacy in his or her personal  
4 property.

5 (8) To immediate and continued enrollment of his or her school-age  
6 children based on the best interests of the child as provided for in 16 V.S.A.  
7 § 1075(e) and applicable federal law.

8 Sec. 3. 9 V.S.A. § 4501 is amended to read:

9 § 4501. DEFINITIONS

10 \* \* \*

11 (11) “Housing status” means the status of being homeless, a homeless  
12 individual, or a homeless person as defined in 42 U.S.C. § 11302.

13 Sec. 4. 9 V.S.A. § 4502 is amended to read:

14 § 4502. PUBLIC ACCOMMODATIONS

15 (a) An owner or operator of a place of public accommodation or an agent  
16 or employee of such owner or operator shall not, because of the race, creed,  
17 color, national origin, housing status, marital status, sex, sexual orientation, or  
18 gender identity of any person, refuse, withhold from, or deny to that person  
19 any of the accommodations, advantages, facilities, and privileges of the place  
20 of public accommodation.

21 \* \* \*

1       Sec. 5. 9 V.S.A. § 4503 is amended to read:

2       § 4503. UNFAIR HOUSING PRACTICES

3       (a) It shall be unlawful for any person:

4               (1) To refuse to sell or rent, or refuse to negotiate for the sale or rental  
5       of, or otherwise make unavailable or deny, a dwelling or other real estate to  
6       any person because of the race, sex, sexual orientation, gender identity, age,  
7       marital status, religious creed, color, national origin, housing status, or  
8       disability of a person, or because a person intends to occupy a dwelling with  
9       one or more minor children, or because a person is a recipient of public  
10      assistance.

11              (2) To discriminate against, or to harass any person in the terms,  
12      conditions, or privileges of the sale or rental of a dwelling or other real estate,  
13      or in the provision of services or facilities in connection therewith, because of  
14      the race, sex, sexual orientation, gender identity, age, marital status, religious  
15      creed, color, national origin, housing status, or disability of a person, or  
16      because a person intends to occupy a dwelling with one or more minor  
17      children, or because a person is a recipient of public assistance.

18              (3) To make, print, or publish, or cause to be made, printed, or published  
19      any notice, statement, or advertisement, with respect to the sale or rental of a  
20      dwelling or other real estate that indicates any preference, limitation, or  
21      discrimination based on race, sex, sexual orientation, gender identity, age,

1 marital status, religious creed, color, national origin, housing status, or  
2 disability of a person, or because a person intends to occupy a dwelling with  
3 one or more minor children, or because a person is a recipient of public  
4 assistance.

5 (4) To represent to any person because of the race, sex, sexual  
6 orientation, gender identity, age, marital status, religious creed, color, national  
7 origin, housing status, or disability of a person, or because a person intends to  
8 occupy a dwelling with one or more minor children, or because a person is a  
9 recipient of public assistance, that any dwelling or other real estate is not  
10 available for inspection, sale, or rental when the dwelling or real estate is in  
11 fact so available.

12 (5) [Repealed.]

13 (6) To discriminate against any person in the making or purchasing of  
14 loans or providing other financial assistance for real-estate-related transactions  
15 or in the selling, brokering, or appraising of residential real property, because  
16 of the race, sex, sexual orientation, gender identity, age, marital status,  
17 religious creed, color, national origin, housing status, or disability of a person,  
18 or because a person intends to occupy a dwelling with one or more minor  
19 children, or because a person is a recipient of public assistance.

20 (7) To engage in blockbusting practices, for profit, which may include  
21 inducing or attempting to induce a person to sell or rent a dwelling by

1 representations regarding the entry into the neighborhood of a person or  
2 persons of a particular race, sex, sexual orientation, gender identity, age,  
3 marital status, religious creed, color, national origin, housing status, or  
4 disability of a person, or because a person intends to occupy a dwelling with  
5 one or more minor children, or because a person is a recipient of public  
6 assistance.

7 (8) To deny any person access to or membership or participation in any  
8 multiple listing service, real estate brokers' organization, or other service,  
9 organization or facility relating to the business of selling or renting dwellings,  
10 or to discriminate against any person in the terms or conditions of such access,  
11 membership, or participation, on account of race, sex, sexual orientation,  
12 gender identity, age, marital status, religious creed, color, national origin,  
13 housing status, or disability of a person, or because a person is a recipient of  
14 public assistance.

15 \* \* \*

16 (12) To discriminate in land use decisions or in the permitting of  
17 housing because of race, sex, sexual orientation, gender identity, age, marital  
18 status, religious creed, color, national origin, housing status, disability, the  
19 presence of one or more minor children, income, or because of the receipt of  
20 public assistance, except as otherwise provided by law.

21 \* \* \*

1       Sec. 6. EFFECTIVE DATE

2       This act shall take effect on July 1, 2015.