

1 H.493

2 Introduced by Representatives Ram of Burlington, Buxton of Tunbridge,
3 Moran of Wardsboro, O’Sullivan of Burlington, Pearson of
4 Burlington, Stevens of Waterbury, and Zagar of Barnard

5 Referred to Committee on

6 Date:

7 Subject: Human rights; discrimination; homelessness

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

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

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

14 Sec. 1. FINDINGS

15 The Vermont General Assembly finds that:

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

19 (2) Chapter I, Article 1 of the Constitution of the State of Vermont states
20 that Vermonters are “equally free and independent” and Chapter I, Article 7
21 states that all Vermonters are entitled to the same benefits and protections. As

1 a result, a person should not be subject to unfair discrimination based on his or
2 her housing status or being homeless.

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

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

7 § 274. HOMELESS BILL OF RIGHTS

8 (a) A person's rights, privileges, or access to public services may not be
9 denied or abridged solely because he or she is without housing or because of
10 housing status. Such a person shall be granted the same rights and privileges
11 as any other resident of this state.

12 (b) A person without housing shall:

13 (1) have the right to use and move freely in public spaces, including
14 public sidewalks, parks, transportation, and buildings, in the same manner as
15 any other person, and without discrimination on the basis of his or her housing
16 status;

17 (2) have the right to equal treatment by all state and municipal agencies
18 without discrimination on the basis of housing status or homelessness;

19 (3) have the right not to face discrimination while seeking or
20 maintaining employment due to his or her lack of a permanent mailing address,
21 or his or her mailing address being that of a shelter or social service provider;

1 (4) have the right to emergency medical care free from discrimination
2 based on his or her housing status or homelessness;

3 (5) have the right to vote, register to vote, and receive documentation
4 necessary to prove identity for voting without discrimination due to his or her
5 housing status or homelessness;

6 (6) have the right to confidentiality of personal records and information
7 in accordance with all limitations on disclosure established by state and federal
8 law, including the Federal Homeless Management Information Systems, the
9 Federal Health Insurance Portability and Accountability Act, and the Federal
10 Violence Against Women Act. In particular, victims of domestic and sexual
11 violence and stalking who are homeless have the right to safety and
12 confidentiality. No identifying information pertaining to such victims shall be
13 released without a written release unless the disclosure of the information is
14 required by a state or federal law or a court order;

15 (7) have the right to a reasonable expectation of privacy in his or her
16 personal property; and

17 (8) have the right to immediate and continued enrollment of his or her
18 school-age children based on the best interests of the child as provided for in
19 16 V.S.A. § 1075(e) and applicable federal law.

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

2 § 4501. DEFINITIONS

3 * * *

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

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

7 § 4502. PUBLIC ACCOMMODATIONS

8 (a) An owner or operator of a place of public accommodation or an agent
9 or employee of such owner or operator shall not, because of the race, creed,
10 color, national origin, marital status, sex, sexual orientation, housing status, or
11 gender identity of any person, refuse, withhold from, or deny to that person
12 any of the accommodations, advantages, facilities, and privileges of the place
13 of public accommodation.

14 * * *

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

16 § 4503. UNFAIR HOUSING PRACTICES

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

18 (1) To refuse to sell or rent, or refuse to negotiate for the sale or rental
19 of, or otherwise make unavailable or deny, a dwelling or other real estate to
20 any person because of the race, sex, sexual orientation, gender identity, age,
21 marital status, religious creed, color, national origin, housing status, or
22 handicap of a person, or because a person intends to occupy a dwelling with

1 one or more minor children, or because a person is a recipient of public
2 assistance.

3 (2) To discriminate against, or to harass any person in the terms,
4 conditions, or privileges of the sale or rental of a dwelling or other real estate,
5 or in the provision of services or facilities in connection therewith, because of
6 the race, sex, sexual orientation, gender identity, age, marital status, religious
7 creed, color, national origin, housing status, or handicap of a person, or
8 because a person intends to occupy a dwelling with one or more minor
9 children, or because a person is a recipient of public assistance.

10 (3) To make, print, or publish, or cause to be made, printed, or published
11 any notice, statement, or advertisement, with respect to the sale or rental of a
12 dwelling or other real estate that indicates any preference, limitation, or
13 discrimination based on race, sex, sexual orientation, gender identity, age,
14 marital status, religious creed, color, national origin, housing status, or
15 handicap of a person, or because a person intends to occupy a dwelling with
16 one or more minor children, or because a person is a recipient of public
17 assistance.

18 (4) To represent to any person because of the race, sex, sexual
19 orientation, gender identity, age, marital status, religious creed, color, national
20 origin, housing status, or handicap of a person, or because a person intends to
21 occupy a dwelling with one or more minor children, or because a person is a
22 recipient of public assistance, that any dwelling or other real estate is not

1 available for inspection, sale, or rental when the dwelling or real estate is in
2 fact so available.

3 (5) To coerce, intimidate, threaten, or interfere with any person in the
4 exercise or enjoyment of any right granted or protected by this chapter or for
5 having filed a charge, testified, or cooperated in any investigation or
6 enforcement action pursuant to chapter 139 or 141 of this title.

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

14 (7) To engage in blockbusting practices, for profit, which may include
15 inducing or attempting to induce a person to sell or rent a dwelling by
16 representations regarding the entry into the neighborhood of a person or
17 persons of a particular race, sex, sexual orientation, gender identity, age,
18 marital status, religious creed, color, national origin, housing status, or
19 handicap of a person, or because a person intends to occupy a dwelling with
20 one or more minor children, or because a person is a recipient of public
21 assistance.

