

1 H.412

2 Introduced by Representatives Stevens of Waterbury, Carr of Brandon,
3 Christie of Hartford, Fields of Bennington, LaLonde of South
4 Burlington, Morris of Bennington, Rachelson of Burlington,
5 and Troiano of Stannard

6 Referred to Committee on

7 Date:

8 Subject: Human rights; discrimination; homelessness

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

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

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

15 Sec. 1. FINDINGS

16 The Vermont General Assembly finds that:

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

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

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

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

10 § 274. HOMELESS BILL OF RIGHTS

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

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

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

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

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

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

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

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

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

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

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

15 (3) To make, print, or publish, or cause to be made, printed, or published
16 any notice, statement, or advertisement, with respect to the sale or rental of a
17 dwelling or other real estate, that indicates any preference, limitation, or
18 discrimination based on race, sex, sexual orientation, gender identity, age,
19 marital status, religious creed, color, national origin, housing status, or
20 disability 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 (4) To represent to any person because of the race, sex, sexual
4 orientation, gender identity, age, marital status, religious creed, color, national
5 origin, housing status, or disability of a person, or because a person intends to
6 occupy a dwelling with one or more minor children, or because a person is a
7 recipient of public assistance, that any dwelling or other real estate is not
8 available for inspection, sale, or rental when the dwelling or real estate is in
9 fact so available.

10 (5) [Repealed.]

11 (6) To discriminate against any person in the making or purchasing of
12 loans or providing other financial assistance for real-estate-related transactions,
13 or in the selling, brokering, or appraising of residential real property, because
14 of the race, sex, sexual orientation, gender identity, age, marital status,
15 religious creed, color, national origin, housing status, or disability of a person,
16 or 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 (7) To engage in blockbusting practices, for profit, which may include
19 inducing or attempting to induce a person to sell or rent a dwelling by
20 representations regarding the entry into the neighborhood of a person or
21 persons of a particular 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 (8) To deny any person access to or membership or participation in any
6 multiple listing service, real estate brokers' organization, or other service,
7 organization, or facility relating to the business of selling or renting dwellings,
8 or to discriminate against any person in the terms or conditions of such access,
9 membership, or participation, on account of race, sex, sexual orientation,
10 gender identity, age, marital status, religious creed, color, national origin,
11 housing status, or disability of a person, or because a person is a recipient of
12 public assistance.

13 * * *

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

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20 Sec. 6. EFFECTIVE DATE

21 This act shall take effect on July 1, 2017.