

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on General, Housing, and Military Affairs to which was  
3 referred House Bill No. 492 entitled “An act relating to establishing a homeless  
4 bill of rights and prohibiting discrimination against people without homes”  
5 respectfully reports that it has considered the same and recommends that the  
6 bill be amended by striking out all after the enacting clause and inserting in  
7 lieu thereof the following:

8 Sec. 1. FINDINGS

9 The Vermont General Assembly finds that:

10 (1) At the present time, many persons have been rendered homeless as a  
11 result of economic hardship and a shortage of safe and affordable housing.

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

17 (3) It is the intent of this act to help mitigate both the discrimination  
18 people without homes or perceived to be without homes face and the adverse  
19 effects individuals and communities suffer when a person lacks a home.

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

2 § 274. HOMELESS BILL OF RIGHTS

3 (a) A person’s rights, privileges, or access to public services may not be  
4 denied or abridged solely because of his or her housing status. Such a person  
5 shall be granted the same rights and privileges as any other resident of this  
6 State.

7 (b) A person shall have the right:

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

11 (2) To equal treatment by all State and municipal agencies without  
12 discrimination on the basis of his or her housing status.

13 (3) Not to face discrimination while seeking or maintaining  
14 employment, due to his or her housing status.

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

17 (5) To vote, register to vote, and receive documentation necessary to  
18 prove identity for voting, without discrimination due to his or her housing  
19 status.

20 (6) To confidentiality of personal records and information in accordance  
21 with all limitations on disclosure established by State and federal law,

1 including the Federal Homeless Management Information Systems, the Federal  
2 Health Insurance Portability and Accountability Act, and the Federal Violence  
3 Against Women Act, without discrimination based on his or her housing  
4 status.

5 (7) To a reasonable expectation of privacy in his or her personal  
6 property without discrimination based on his or her housing status.

7 (8) To immediate and continued enrollment of his or her school-age  
8 children based on the best interests of the child as provided for in 16 V.S.A.  
9 § 1075(e) and the McKinney-Vento Act, 42 U.S.C. §§ 11431–11435 without  
10 discrimination based on his or her housing status.

11 (c) No person shall be subject to civil or criminal sanctions for soliciting,  
12 sharing, accepting, or offering food, water, money, or other donations in:

13 (1) a public place; or

14 (2) a place of public accommodation with the consent of the owner or  
15 other person representing the place of public accommodation and in a manner  
16 that does not interfere with normal business operations.

17 (d) No law shall target a person based on that person’s housing status or the  
18 harmless activities associated with homelessness, or the provision of supports  
19 or services to a person without housing or perceived to be without housing in:

20 (1) a public place; or



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

2 § 4502. PUBLIC ACCOMMODATIONS

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

9 \* \* \*

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

11 § 4503. UNFAIR HOUSING PRACTICES

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

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

20 (2) To discriminate against, or to harass any person in the terms,  
21 conditions, or privileges of the sale or rental of a dwelling or other real estate,

1 or in the provision of services or facilities in connection therewith, because of  
2 the race, sex, sexual orientation, gender identity, age, marital status, religious  
3 creed, color, national origin, housing status, or disability of a person, or  
4 because a person intends to occupy a dwelling with one or more minor  
5 children, or because a person is a recipient of public assistance.

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

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

21 \* \* \*



1 presence of one or more minor children, income, or because of the receipt of  
2 public assistance, except as otherwise provided by law.

3 \* \* \*

4 Sec. 6. 10 V.S.A. § 601 is amended to read:

5 § 601. DEFINITIONS

6 The following words and terms, unless the context clearly indicates a  
7 different meaning, shall have the following meaning:

8 \* \* \*

9 (11) “Persons and families of low and moderate income” means persons  
10 and families irrespective of race, creed, national origin, sex, sexual orientation,  
11 housing status, or gender identity deemed by the Agency to require such  
12 assistance as is made available by this chapter on account of insufficient  
13 personal or family income, taking into consideration, without limitation, such  
14 factors as:

15 (A) the amount of the total income of such persons and families  
16 available for housing needs;

17 \* \* \*

18 (20) “Housing status” means the actual or perceived status of being  
19 homeless, being a homeless individual, or being a homeless person, as defined  
20 in 42 U.S.C. § 11302.



1 Sec. 7. 21 V.S.A. § 495 is amended to read:

2 § 495. UNLAWFUL EMPLOYMENT PRACTICE

3 (a) It shall be unlawful employment practice, except where a bona fide  
4 occupational qualification requires persons of a particular race, color, religion,  
5 national origin, housing status, sex, sexual orientation, gender identity,  
6 ancestry, place of birth, age, crime victim status, or physical or mental  
7 condition:

8 (1) For any employer, employment agency, or labor organization to  
9 discriminate against any individual because of race, color, religion, ancestry,  
10 national origin, sex, sexual orientation, gender identity, place of birth, housing  
11 status, crime victim status, or age or against a qualified individual with a  
12 disability;

13 (2) For any person seeking employees or for any employment agency or  
14 labor organization to cause to be printed, published, or circulated any notice or  
15 advertisement relating to employment or membership indicating any  
16 preference, limitation, specification, or discrimination based upon race, color,  
17 religion, ancestry, national origin, sex, sexual orientation, gender identity,  
18 place of birth, housing status, crime victim status, age, or disability;

19 (3) For any employment agency to fail or refuse to classify properly or  
20 refer for employment or to otherwise discriminate against any individual  
21 because of race, color, religion, ancestry, national origin, sex, sexual

1 orientation, gender identity, place of birth, housing status, crime victim status,  
2 or age or against a qualified individual with a disability;

3 (4) For any labor organization, because of race, color, religion, ancestry,  
4 national origin, sex, sexual orientation, gender identity, place of birth, housing  
5 status, crime victim status, or age to discriminate against any individual or  
6 against a qualified individual with a disability or to limit, segregate, or qualify  
7 its membership;

8 \* \* \*

9 Sec. 8. 21 V.S.A. § 495d is amended to read:

10 § 495d. DEFINITIONS

11 As used in this subchapter:

12 \* \* \*

13 (16) “Housing status” means the actual or perceived status of being  
14 homeless, being a homeless individual, or being a homeless person, as defined  
15 in 42 U.S.C. § 11302.

16 Sec. 9. EFFECTIVE DATE

17 This act shall take effect on July 1, 2020.

18 (Committee vote: \_\_\_\_\_)

19 \_\_\_\_\_

20 Representative \_\_\_\_\_

21 FOR THE COMMITTEE