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H.132

Introduced by Representatives Stevens of Waterbury, Bartley of Fairfax,
Bluemle of Burlington, Burke of Brattleboro, Burrows of West
Windsor, Carroll of Bennington, Garofano of Essex, Graning of
Jericho, Howard of Rutland City, Krasnow of South Burlington,
LaBounty of Lyndon, LaMont of Morristown, McCann of
Montpelier, McGill of Bridport, Patt of Worcester, Stone of
Burlington, and Whitman of Bennington

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 persons without
homes.

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

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

Sec. 1. FINDINGS

The Vermont General Assembly finds that:

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

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

8 (3) It is the intent of this act to help mitigate both the discrimination
9 individuals without homes or perceived to be without homes face and the
10 adverse effects individuals and communities suffer when an individual lacks a
11 home.

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

13 § 274. HOMELESS BILL OF RIGHTS

14 (a) In addition to any other rights and protections provided under State and
15 federal law, an individual shall have the right:

16 (1) to use and move freely in public places, including public sidewalks,
17 parks, transportation, and buildings, in the same manner as any other
18 individual and without discrimination on the basis of the individual’s housing
19 status;

20 (2) to equal treatment by all State and municipal agencies without
21 discrimination on the basis of the individual’s housing status;

1 (3) to emergency medical care free from discrimination based on the
2 individual's housing status;

3 (4) to vote, register to vote, and receive documentation necessary to
4 prove identity for voting, without discrimination due to the individual's
5 housing status; and

6 (5) to a reasonable expectation of privacy in the individual's personal
7 property without discrimination based on the individual's housing status.

8 (b) Notwithstanding any provision of law or of a municipal charter to the
9 contrary, no individual shall be subject to civil or criminal sanctions for
10 soliciting, sharing, accepting, or offering food, drink, money, or other
11 donations in a public place.

12 (c) No law, rule, or ordinance shall adversely impact or penalize an
13 individual based on:

14 (1) the individual's housing status;

15 (2) the provision of supports or services to the individual based on the
16 individual's housing status; or

17 (3) the individual engaging in harmless activities that are associated
18 with homelessness.

19 (d)(1) An individual aggrieved by a violation of this section may bring an
20 action in Superior Court for appropriate relief, including injunctive relief and

1 actual damages sustained as a result of the violation, costs, and reasonable
2 attorney's fees.

3 (2) The relief provided pursuant to this section shall be in addition to the
4 relief provided under any other provision of law.

5 (e) As used in this section:

6 (1) "Housing status" means the actual or perceived status of being
7 homeless, being a homeless individual, or being a homeless person, as defined
8 in 42 U.S.C. § 11302.

9 (2) "Place of public accommodation" has the same meaning as in
10 9 V.S.A. § 4501(1).

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

12 § 4501. DEFINITIONS

13 As used in this chapter:

14 * * *

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

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

19 § 4502. PUBLIC ACCOMMODATIONS

20 (a) An owner or operator of a place of public accommodation or an agent
21 or employee of ~~such an~~ owner or operator shall not, because of the race, creed,

1 color, national origin, housing status, marital status, sex, sexual orientation, or
2 gender identity of any person, refuse, withhold from, or deny to that person
3 any of the accommodations, advantages, facilities, and privileges of the place
4 of public accommodation.

5 * * *

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

7 § 4503. UNFAIR HOUSING PRACTICES

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

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

16 (2) To discriminate against, or to harass, any person in the terms,
17 conditions, privileges, and protections of the sale or rental of a dwelling or
18 other real estate, or in the provision of services or facilities in connection with
19 a dwelling or other real estate, because of the race, sex, sexual orientation,
20 gender identity, age, housing status, marital status, religious creed, color,
21 national origin, or disability of a person, or because a person intends to occupy

1 a dwelling with one or more minor children, or because a person is a recipient
2 of public assistance, or because a person is a victim of abuse, sexual assault, or
3 stalking.

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

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

20 * * *

1 presence of one or more minor children, income, or because of the receipt of
2 public assistance, or because a person is a victim of abuse, sexual assault, or
3 stalking, except as otherwise provided by law.

4 * * *

5 (d)(1) As used in this section, “harass” means to engage in unwelcome
6 conduct that detracts from, undermines, or interferes with the person’s terms,
7 conditions, privileges, or protections in the sale or rental of a dwelling or other
8 real estate, or in the provision of services or facilities in connection with a
9 dwelling or other real estate, because of the person’s race, sex, sexual
10 orientation, gender identity, age, housing status, marital status, religious creed,
11 color, national origin, or disability, or because the person intends to occupy a
12 dwelling with one or more minor children, or because the person is a recipient
13 of public assistance, or because the person is a victim of abuse, sexual assault,
14 or stalking.

15 * * *

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

17 § 601. DEFINITIONS

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

20 * * *

1 birth, crime victim status, or age or against a qualified individual with a
2 disability;.

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

9 (3) For any employment agency to fail or refuse to classify properly or
10 refer for employment or to otherwise discriminate against any individual
11 because of race, color, religion, ancestry, national origin, housing status, sex,
12 sexual orientation, gender identity, place of birth, crime victim status, or age or
13 against a qualified individual with a disability;.

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

19 * * *

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

2 § 495d. DEFINITIONS

3 As used in this subchapter:

4 * * *

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

8 Sec. 9. 33 V.S.A. § 101 is amended to read:

9 § 101. POLICY

10 It is the policy of the State of Vermont that:

11 * * *

12 (3)(A) Assistance and benefits shall be administered promptly, with due
13 regard for the preservation of family life, and without restriction of individual
14 rights or discrimination on account of race, religion, political affiliation,
15 housing status, or place of residence within the State.

16 (B) As used in this subdivision (3), “housing status” means the actual
17 or perceived status of being homeless, being a homeless individual, or being a
18 homeless person, as defined in 42 U.S.C. § 11302.

19 * * *

20 Sec. 10. EFFECTIVE DATE

21 This act shall take effect on July 1, 2023.