

1 H.132

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

9 Referred to Committee on

10 Date:

11 Subject: Human rights; discrimination; homelessness

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

15 ~~An act relating to establishing a homeless bill of rights and prohibiting~~
16 ~~discrimination against persons without homes~~ *An act relating to prohibiting*
17 *discrimination against persons without homes*

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

19 ~~Sec. 1. FINDINGS~~

20 ~~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~~
4 ~~the 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
5 published any notice, statement, or advertisement, with respect to the sale or
6 rental of a dwelling or other real estate that indicates any preference,
7 limitation, or discrimination based on race, sex, sexual orientation, gender
8 identity, age, housing status, marital status, religious creed, color, national
9 origin, or disability of a person, or because a person intends to occupy a
10 dwelling with one or more minor children, or because a person is a recipient of
11 public assistance, or because a person is a victim of abuse, sexual assault, or
12 stalking.

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

21

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
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. § 405d is amended to read:~~

2 § 405d. 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

~~This act shall take effect on July 1, 2025.~~

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

§ 4501. DEFINITIONS

As used in this chapter:

** * **

(12)(A) “Harass” means to engage in unwelcome conduct that detracts from, undermines, or interferes with a person’s:

(i) use of a place of public accommodation or any of the accommodations, advantages, facilities, or privileges of a place of public accommodation because of the person’s race, creed, color, national origin, housing status, marital status, sex, sexual orientation, gender identity, or disability; or

(ii) terms, conditions, privileges, or protections in the sale or rental of a dwelling or other real estate, or in the provision of services or facilities in connection with a dwelling or other real estate, because of the person’s race, sex, sexual orientation, gender identity, age, housing status, marital status, religious creed, color, national origin, or disability, or because the person intends to occupy a dwelling with one or more minor children, or because the person is a recipient of public assistance, or because the person is a victim of abuse, sexual assault, or stalking.

** * **

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

Sec. 2. 9 V.S.A. § 4502 is amended to read:

§ 4502. PUBLIC ACCOMMODATIONS

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

** * **

Sec. 3. 9 V.S.A. § 4503 is amended to read:

§ 4503. UNFAIR HOUSING PRACTICES

(a) It shall be unlawful for any person:

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

assistance, or because a person is a victim of abuse, sexual assault, or stalking.

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

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

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

** * **

(7) To engage in blockbusting practices, for profit, ~~which~~ that may include inducing or attempting to induce a person to sell or rent a dwelling by representations regarding the entry into the neighborhood of a person or persons of a particular race, sex, sexual orientation, gender identity, age, housing status, marital status, religious creed, color, national origin, or disability of a person, or because a person intends to occupy a dwelling with one or more minor children, or because a person is a recipient of public assistance, or because a person is a victim of abuse, sexual assault, or stalking.

(8) To deny any person access to or membership or participation in any multiple listing service, real estate brokers' organization, or other service, organization, or facility relating to the business of selling or renting dwellings,

or to discriminate against any person in the terms or conditions of such access, membership, or participation, on account of race, sex, sexual orientation, gender identity, age, housing status, marital status, religious creed, color, national origin, or disability of a person, or because a person is a recipient of public assistance, or because a person is a victim of abuse, sexual assault, or stalking.

* * *

(12) To discriminate in land use decisions or in the permitting of housing because of race, sex, sexual orientation, gender identity, age, housing status, marital status, religious creed, color, national origin, disability, the presence of one or more minor children, income, or because of the receipt of public assistance, or because a person is a victim of abuse, sexual assault, or stalking, except as otherwise provided by law.

* * *

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

§ 601. DEFINITIONS

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

* * *

(11) “Persons and families of low and moderate income” means persons and families irrespective of race, creed, national origin, sex, sexual

orientation, housing status, or gender identity deemed by the Agency to require such assistance as is made available by this chapter on account of insufficient personal or family income, taking into consideration, without limitation, such factors as:

* * *

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

Sec. 5. 21 V.S.A. § 495 is amended to read:

§ 495. UNLAWFUL EMPLOYMENT PRACTICE

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

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

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

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

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

* * *

Sec. 6. 21 V.S.A. § 495d is amended to read:

§ 495d. DEFINITIONS

As used in this subchapter:

* * *

(16) “Harass” means to engage in unwelcome conduct based on an employee’s race, color, religion, national origin, housing status, sex, sexual orientation, gender identity, ancestry, place of birth, age, crime victim status, or physical or mental condition that interferes with the employee’s work or creates a work environment that is intimidating, hostile, or offensive. In determining whether conduct constitutes harassment:

** * **

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

Sec. 7. 33 V.S.A. § 101 is amended to read:

§ 101. POLICY

It is the policy of the State of Vermont that:

** * **

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

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

* * *

Sec. 8. EFFECTIVE DATE

This act shall take effect on July 1, 2024.