

# HOUSE BILL NO. 4919

July 18, 2023, Introduced by Rep. Dievendorf and referred to the Committee on Economic Development and Small Business.

A bill to establish a bill of rights for the homeless; and to provide a remedy for violation of those rights.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 1. This act may be cited as the "bill of rights for the  
2 homeless act".

3           Sec. 2. It is the long-standing policy of this state that an  
4 individual should not suffer unnecessarily from cold or hunger, be  
5 deprived of shelter or the basic rights incident to shelter, or be  
6 subject to unfair discrimination based on the individual's homeless  
7 status. Many individuals are homeless as a result of economic  
8 hardship, a severe shortage of safe and affordable housing, and a

1 shrinking social safety net. In particular, youths aged 13 to 15  
2 and young adults aged 16 to 23 often suffer from deprivation  
3 because they are homeless or perceived as being homeless. It is the  
4 intent of this act to lessen the adverse effects and conditions  
5 caused by the lack of a residence or a home.

6       Sec. 3. (1) An individual's rights, privileges, or access to  
7 public services must not be denied or abridged solely because the  
8 individual is homeless or perceived as being homeless. An  
9 individual who is homeless shall be granted the same rights and  
10 privileges as any other citizen of this state. An individual  
11 experiencing homelessness has all of the following rights:

12       (a) The right to use and move freely in public spaces,  
13 including, but not limited to, public sidewalks, public parks,  
14 public transportation, and public buildings, in the same manner as  
15 any other individual and without discrimination on the basis of the  
16 individual's housing status.

17       (b) The right to equal treatment by all state and municipal  
18 agencies, without discrimination on the basis of housing status.

19       (c) The right to freedom from discrimination in employment  
20 because of the lack of a permanent mailing address or having a  
21 mailing address that is a shelter or social service provider.

22       (d) The right to emergency medical care free from  
23 discrimination based on housing status.

24       (e) If the individual is a United States citizen, the right to  
25 vote, register to vote, and receive documentation necessary to  
26 prove identity for voting without discrimination due to housing  
27 status.

28       (f) The right to protection from disclosure to state,  
29 municipal, or private entities without appropriate legal authority

1 of the individual's records or information that was provided to a  
2 homeless shelter or service provider; and the right to  
3 confidentiality of personal records and information in accordance  
4 with all limitations on disclosure established by requirements  
5 under a federal homeless management information system, the health  
6 insurance portability and accountability act of 1996, Public Law  
7 104-191, or the violence against women act of 1994, Public Law 103-  
8 322.

9 (g) The right to a reasonable expectation of privacy in the  
10 individual's personal property to the same extent as personal  
11 property in a permanent residence.

12 (h) The right, if a homeless youth, to be enrolled in school  
13 without delay or discrimination because of housing status.

14 (2) As used in this section, "housing status" means the status  
15 of having or not having a fixed or regular residence, including the  
16 status of living on the streets, in a shelter, or in a temporary  
17 residence.

18 Sec. 4. In a civil action alleging a violation of this act,  
19 the court may award appropriate injunctive and declaratory relief,  
20 actual damages, and reasonable attorney fees and costs to a  
21 prevailing plaintiff.

22 Enacting section 1. This act takes effect 90 days after the  
23 date it is enacted into law.