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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 955 Session of  
2019

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INTRODUCED BY MURT, FITZGERALD, McNEILL, ZABEL, KENYATTA,  
CALTAGIRONE, FREEMAN, SOLOMON AND HILL-EVANS, MARCH 25, 2019

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REFERRED TO COMMITTEE ON URBAN AFFAIRS, MARCH 25, 2019

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AN ACT

1 Providing for the rights and privileges of homeless persons.

2 The General Assembly of the Commonwealth of Pennsylvania  
3 hereby enacts as follows:

4 Section 1. Short title.

5 This act shall be known and may be cited as the Bill of  
6 Rights for the Homeless Act.

7 Section 2. Definitions.

8 The following words and phrases when used in this act shall  
9 have the meanings given to them in this section unless the  
10 context clearly indicates otherwise:

11 "Homeless." The term shall have the same meaning as in  
12 section 103 of the McKinney-Vento Homeless Assistance Act  
13 (Public Law 100-77, 101 stat. 482)

14 "Housing status." The status of having or not having a fixed  
15 or regular residence, including the status of living on the  
16 streets, in a shelter or in a temporary residence.

17 Section 3. Legislative intent.

1 The following shall apply:

2 (1) It is the long-standing policy of this Commonwealth  
3 that no individual should suffer unnecessarily from cold or  
4 hunger, be deprived of shelter, or the basic rights incident  
5 to shelter, or be subject to unfair discrimination based on  
6 the individual's homeless status.

7 (2) Many individuals have been rendered homeless as a  
8 result of economic hardship, a severe shortage of safe and  
9 affordable housing and a shrinking social safety net.

10 (3) It is the intent of the General Assembly to lessen  
11 the adverse effects and conditions caused by homelessness.

12 Section 4. Rights afforded to homeless individuals.

13 (a) General rule.--No individual's rights, privileges or  
14 access to public services may be denied or abridged solely  
15 because the individual is homeless.

16 (b) Specific rights.--A homeless individual shall be granted  
17 the same rights and privileges as other residents of this  
18 Commonwealth. A homeless individual shall have all of the  
19 following rights:

20 (1) To use and move freely in public spaces, including,  
21 but not limited to, public sidewalks, public parks, public  
22 transportation and public buildings, in the same manner as  
23 any other individual and without discrimination on the basis  
24 of the individual's housing status.

25 (2) To equal treatment by State and local government  
26 agencies, without discrimination on the basis of housing  
27 status.

28 (3) To be free from discrimination while maintaining  
29 employment due to the individual's lack of permanent mailing  
30 address or due to the fact that the mailing address used by

1 the individual is for a shelter or social service provider.

2 (4) To emergency medical care free from discrimination  
3 based on the individual's housing status.

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

7 (6) To protection from disclosure of the individual's  
8 records and information provided to homeless shelters and  
9 social service providers without appropriate legal authority.

10 (7) To confidentiality of personal records and  
11 information in accordance with limitations on disclosure  
12 established by the following:

13 (i) Federal Homeless Management Information Systems.

14 (ii) The Health Insurance Portability and  
15 Accountability Act of 1996 (Public Law 104-191, 110 Stat.  
16 1936).

17 (iii) The Violence Against Women Act of 1994 (Title  
18 IV of Public Law 103-322, 108 Stat. 1902).

19 (8) To a reasonable expectation of privacy in the  
20 individual's personal property to the same extent as personal  
21 property in a permanent residence.

22 Section 5. Damages and attorney fees.

23 In a civil action alleging a violation of this act, the court  
24 may award appropriate injunctive and declaratory relief, actual  
25 damages and reasonable attorney fees and costs to a prevailing  
26 plaintiff.

27 Section 6. Effective date.

28 This act shall take effect in 60 days.