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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 FITZGERALD, MURT, McNEILL, ZABEL, KENYATTA,  
CALTAGIRONE, FREEMAN, SOLOMON, HILL-EVANS AND McCLINTON,  
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.

1 Section 3. Legislative intent.

2 The following shall apply:

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

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

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

13 Section 4. Rights afforded to homeless individuals.

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

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

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

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

29 (3) To be free from discrimination while maintaining  
30 employment due to the individual's lack of permanent mailing

1 address or due to the fact that the mailing address used by  
2 the individual is for a shelter or social service provider.

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

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

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

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

14 (i) Federal Homeless Management Information Systems.

15 (ii) The Health Insurance Portability and  
16 Accountability Act of 1996 (Public Law 104-191, 110 Stat.  
17 1936).

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

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

23 Section 5. Damages and attorney fees.

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

28 Section 6. Effective date.

29 This act shall take effect in 60 days.