

SECOND REGULAR SESSION

HOUSE BILL NO. 1938

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE FRANKS JR.

5697H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 213, RSMo, by adding thereto one new section relating to civil rights for homeless persons.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 213, RSMo, is amended by adding thereto one new section, to be
2 known as section 213.145, to read as follows:

**213.145. 1. This section shall be known and may be cited as the "Bill of Rights for
2 the Homeless".**

**3 2. As used in this section, "housing status" means the status of having or not having
4 a fixed or regular residence, including the status of living on the streets, in a shelter, or in
5 a temporary residence.**

**6 3. No person's rights, privileges, or access to public services may be denied or
7 abridged solely because such person is homeless. Such a person shall be granted the same
8 rights and privileges as any other citizen of this state. A person experiencing homelessness
9 has the following rights:**

**10 (1) The right to use and move freely in public spaces including, but not limited to,
11 public sidewalks, public parks, public transportation, and public buildings in the same
12 manner as any other person and without discrimination on the basis of his or her housing
13 status;**

**14 (2) The right to equal treatment by all state and municipal agencies, without
15 discrimination on the basis of housing status;**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 **(3) The right to not face discrimination while maintaining employment due to his**
17 **or her lack of permanent mailing address, or his or her mailing address being that of a**
18 **shelter or social service provider;**

19 **(4) The right to emergency medical care free from discrimination based on his or**
20 **her housing status;**

21 **(5) The right to vote, register to vote, and receive documentation necessary to prove**
22 **identity for voting without discrimination due to his or her housing status;**

23 **(6) The right to protection from disclosure of his or her records and information**
24 **provided to homeless shelters and service providers to state, municipal, and private entities**
25 **without appropriate legal authority; and the right to confidentiality of personal records**
26 **and information in accordance with all limitations on disclosure established by the federal**
27 **Homeless Management Information Systems, the federal Health Insurance Portability and**
28 **Accountability Act, and the federal Violence Against Women Act; and**

29 **(7) The right to a reasonable expectation of privacy in his or her personal property**
30 **to the same extent as personal property in a permanent residence.**

31 **4. In any civil action alleging a violation of this act, the court may award**
32 **appropriate injunctive and declaratory relief, actual damages, and reasonable attorney's**
33 **fees and costs to a prevailing plaintiff.**

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