

2023 -- H 5120

LC000172

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO PROPERTY -- HOMELESS BILL OF RIGHTS

Introduced By: Representatives J Lombardi, Hull, Ajello, Felix, and Sanchez

Date Introduced: January 12, 2023

Referred To: House Municipal Government & Housing

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 34-37.1 of the General Laws entitled "Homeless Bill of Rights" is  
2 hereby amended by adding thereto the following section:

3 **34-37.1-7. Homeless shelter standard.**

4 (a) Findings. The general assembly finds and declares as follows:

5 (1) That all homeless persons have the right to homeless shelter services regardless of  
6 political or religious beliefs, immigration status, former geographic location of residence, ethno-  
7 cultural background, (dis)ability, gender identity, criminal background, and/or sexual orientation;

8 (2) That no shelter should charge a fee nor expect and/or require compensation from  
9 clients/residents for any services rendered;

10 (3) That homeless shelters should provide an atmosphere of dignity and respect for all  
11 shelter residents, and provide services in a non-judgmental manner;

12 (4) That shelter residents are capable of moving toward increasing levels of self-reliance  
13 and self-determination. Shelter staff should work with residents to assist them in achieving their  
14 goals;

15 (5) That homeless shelters should be sensitive to the ethno-specific and linguistic needs of  
16 residents;

17 (6) That service providers need to accept gender identity as defined by the individual rather  
18 than by the perception of staff and/or other residents;

19 (7) That protecting the privacy and confidentiality of shelter residents and their personal

- 1 information is of the utmost importance;
- 2 (8) That all people staying in homeless shelters should have access to safe, nutritious food;
- 3 (9) That the health and safety of shelter residents, volunteers, and staff is of the highest
- 4 importance in each shelter;
- 5 (10) That issuing service restrictions in the shelter system must be done only as a last resort
- 6 and in the most serious cases;
- 7 (11) That everyone is entitled to shelter service whether or not they use controlled
- 8 substances and service policies should not be based on controlled substance use alone, except for
- 9 those shelters operating on an abstinence or recovery model basis;
- 10 (12) That shelter residents should be involved in service provision, program planning,
- 11 development and evaluation, and policy development;
- 12 (13) That homeless shelters that include children and youth should provide support and
- 13 activities and ensure that the school-related recreation and treatment needs of resident children are
- 14 met on site through community based services;
- 15 (14) That homeless shelters should afford an opportunity for children and youth with
- 16 developmental and/or physical disabilities to develop to their full potential within an environment
- 17 where they can interact and socialize with other children;
- 18 (15) That shelters are part of a larger network of homeless services and agencies and
- 19 collaboration within this network is important to ensure effective and coordinated services;
- 20 (16) That notification of shelter closure (either emergency or permanent shelter) should be
- 21 done as soon as the provider is aware of the potential closure and posted in a common area. The
- 22 provider should notify their residents, and the office of housing and community development within
- 23 the division of planning of the department of administration; and
- 24 (17) That all shelters should utilize the Rhode Island homeless information management
- 25 system (HMIS) database, and make entries in a timely manner.
- 26 (b) The chair of the Rhode Island housing resources commission shall appoint an eleven
- 27 (11) member committee to draft regulations for homeless shelters and provide recommendations
- 28 related to the operation of homeless shelters for consideration by the commission in preparation of
- 29 the state's plan for housing pursuant to the provisions of § 42-128-8 as follows:
- 30 (1) One homeless or formerly homeless person;
- 31 (2) Two (2) representatives of the Rhode Island Homeless Advocacy Project;
- 32 (3) One representative of the Rhode Island Coalition for the Homeless;
- 33 (4) Two (2) homeless shelter providers operating a shelter for individuals;
- 34 (5) Two (2) homeless shelter providers operating a shelter for families;

- 1           (6) One representative from the Rhode Island office of housing and community  
2 development;
- 3           (7) One domestic violence shelter provider; and
- 4           (8) One resident or former resident of a domestic violence shelter.
- 5           (c) The committee shall elect a chair or co-chairs from among their membership.
- 6           (d)(1) The committee shall define the characteristics of a homeless shelter that shall be  
7 subject to the regulations and standards established by this section.
- 8           (2) The committee shall be charged with making recommendations for the formulation of  
9 regulations and standards to address the following topics and areas of concern:
- 10           (i) Baseline organizational standards that any agency operating a homeless shelter must  
11 meet;
- 12           (ii) Access to shelter guidelines, including admission and discharge, bed registration,  
13 substance use, and service restrictions;
- 14           (iii) Residents' rights and responsibilities, including resident input, complaints and appeals,  
15 and grievance procedures;
- 16           (iv) Program standards including the provision of essential services, counseling supports,  
17 daytime access, confidentiality, sharing of resident information, safeguarding resident files, and  
18 staff code of conduct;
- 19           (v) Health and safety standards including basic health and safety protocols, the safeguard  
20 of, and access to, resident medication, a policy on weapons, and requirements for staff training on  
21 health and safety issues; and
- 22           (vi) Emergency and winter shelter standards including the definition of inclement weather  
23 events, in all seasons, that trigger requirements for homeless shelters to stay open for the protection  
24 of residents.
- 25           (3) Except to the extent specifically required by statute, no shelter regulation shall deny  
26 access to, or otherwise impose additional restrictions upon, individuals due to their being subject  
27 to community notification requirements, nor shall any state or municipal agency request or require  
28 a shelter to impose any such restrictions.

29           SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO PROPERTY -- HOMELESS BILL OF RIGHTS

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1           This act would establish a committee to make recommendations to the Rhode Island  
2 housing resources commission for consideration by the commission in preparation of the state's  
3 plan for housing relating to the operation of homeless shelters.

4           This act would take effect upon passage.

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