



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB5508

Introduced 2/16/2018, by Rep. La Shawn K. Ford

SYNOPSIS AS INTRODUCED:

775 ILCS 45/10

Amends the Bill of Rights for the Homeless Act. Provides that if a unit of local government determines that a person experiencing homelessness is living in a public space and requires that person to vacate the public space, the unit of local government shall: (i) provide a 48-hour notice to vacate to that person; (ii) offer to call a paramedic for medical treatment; (iii) offer to provide transportation to the nearest homeless shelter; and (iv) allow the person to collect all personal property and offer bags to transport the personal property.

LRB100 16781 LNS 31921 b

1 AN ACT concerning human rights.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Bill of Rights for the Homeless Act is
5 amended by changing Section 10 as follows:

6 (775 ILCS 45/10)

7 Sec. 10. Bill of Rights.

8 (a) No person's rights, privileges, or access to public
9 services may be denied or abridged solely because he or she is
10 homeless. Such a person shall be granted the same rights and
11 privileges as any other citizen of this State. A person
12 experiencing homelessness has the following rights:

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

18 (2) the right to equal treatment by all State and
19 municipal agencies, without discrimination on the basis of
20 housing status;

21 (3) the right not to face discrimination while
22 maintaining employment due to his or her lack of permanent
23 mailing address, or his or her mailing address being that

1 of a shelter or social service provider;

2 (4) the right to emergency medical care free from
3 discrimination based on his or her housing status;

4 (5) the right to vote, register to vote, and receive
5 documentation necessary to prove identity for voting
6 without discrimination due to his or her housing status;

7 (6) the right to protection from disclosure of his or
8 her records and information provided to homeless shelters
9 and service providers to State, municipal, and private
10 entities without appropriate legal authority; and the
11 right to confidentiality of personal records and
12 information in accordance with all limitations on
13 disclosure established by the federal Homeless Management
14 Information Systems, the federal Health Insurance
15 Portability and Accountability Act, and the federal
16 Violence Against Women Act; and

17 (7) the right to a reasonable expectation of privacy in
18 his or her personal property to the same extent as personal
19 property in a permanent residence.

20 (b) As used in this Act, "housing status" means the status
21 of having or not having a fixed or regular residence, including
22 the status of living on the streets, in a shelter, or in a
23 temporary residence.

24 (c) If a unit of local government determines that a person
25 experiencing homelessness is living in a public space or using
26 a public space in a manner inconsistent with paragraph (1) of

1 subsection (a) and requires that person to vacate the public
2 space, the unit of local government shall:

3 (1) provide a 48-hour notice to that person, both oral
4 and written and in a language other than English when
5 appropriate, to vacate the public space and remove all
6 personal belongings;

7 (2) offer to call for a paramedic for medical treatment
8 for that person, if necessary;

9 (3) offer to provide transportation for that person to
10 the nearest homeless shelter; and

11 (4) allow that person to collect all personal property
12 and offer bags to transport the personal property.

13 No unit of local government shall dispose of that person's
14 personal belongings in any manner.

15 (Source: P.A. 98-516, eff. 8-22-13.)