

1 HOUSE RESOLUTION

2 WHEREAS, It is the long-standing policy of this State
3 that no person should suffer unnecessarily from cold or
4 hunger, or be deprived of shelter or the basic rights
5 incident to shelter; and

6 WHEREAS, At the present time, many persons have been
7 rendered homeless as a result of economic adversity, a severe
8 shortage of affordable housing, and increased stress due to
9 the complexity of daily living that has created an inability
10 on the part of those persons to interact in society; and

11 WHEREAS, It is the intent of the House of Representatives
12 to lessen the adverse affects and conditions caused by the
13 lack of residence or a home; and

14 WHEREAS, No person's rights, privileges, or access to
15 public services should be denied or abridged solely because
16 he or she is homeless; such a person should be granted the
17 same rights and privileges as any other citizen of this
18 State; and

19 WHEREAS, These rights include but are not limited to the
20 following:

21 (1) a person's right to live in any community in
22 this State in which he or she can afford to live;

23 (2) a person's right to choose a type of living
24 arrangements in accordance with local regulations without
25 harassment or interference from any other citizen or from
26 any public or private entity;

27 (3) a person's right to employment and training
28 opportunities in accordance with his or her interests and
29 abilities;

30 (4) a person's right to access to emergency medical

1 health services in any health care facility doing
2 business in this State;

3 (5) a person's right to manage his or her own
4 personal finances notwithstanding his or her living
5 arrangements, unless (i) the person voluntarily signs a
6 written agreement, sworn to and witnessed before a notary
7 public, authorizing an individual or agency to manage his
8 or her finances, (ii) the person resides in a shelter for
9 homeless persons and has enrolled in a savings program
10 designed to provide rent money upon the person's
11 departure from the shelter, or (iii) the person has been
12 ruled or adjudicated by a court of competent jurisdiction
13 to be incompetent to manage his or her financial affairs;

14 (6) a person's right to not be coerced or penalized
15 in any way for not taking any medication or for not
16 undergoing any medical treatment that has not been
17 authorized by a qualified physician;

18 (7) in the case of a group living arrangement or
19 long-term care facility, a person's right to receive and
20 sign any check, voucher, or other warrant or legal tender
21 issued in his or her name before the moneys may be
22 expended by the person's landlord or a public or private
23 agency, unless the person waives the right in a writing
24 sworn to before a notary public; if the person is unable
25 to sign his or her name, the person may make his or her
26 signature with an "X" that is witnessed by 2 other
27 persons not employed or directly associated with the
28 landlord or agency, preferably a relative or guardian of
29 the person or someone designated by the person
30 beforehand;

31 (8) a person's right to vote, which may not be
32 denied solely because the person does not have a
33 permanent residence;

34 (9) a person's right of visitation with family

1 members, friends, clergy, and professional or public
2 consultants notwithstanding the person's living
3 arrangements, as long as the visitation does not
4 interfere with the smooth operation of the person's place
5 of residence;

6 (10) a person's right to receive public services or
7 accommodations offered to any other citizen of this State
8 in accordance, with established eligibility guidelines
9 for those services; and

10 (11) a person's right to confidentiality of
11 records; homeless shelters should obtain a voluntary
12 written release from a homeless person prior to
13 disclosing any personal information regarding the
14 homeless person, including, but not limited to, name,
15 social security number, and birth date, except in
16 aggregate form; the right to confidentiality of records
17 includes the dissemination of materials to other
18 agencies, either private or public; and the homeless
19 person should be given the option of whether to release
20 records via informed consent, based on guidelines from
21 the Office of Human Research Protections, United States
22 Department of Health and Human Services, including:

23 (A) the expected duration of the subject's
24 participation;

25 (B) an explanation of whom to contact for
26 answers to pertinent questions about the research
27 and research subjects' rights, and whom to contact
28 in the event of a research-related injury to the
29 subject;

30 (C) a statement that participation in
31 releasing records is voluntary, refusal to
32 participate will involve no penalty or loss of
33 benefits to which the subject is otherwise entitled,
34 and the subject may discontinue participation in the

1 record release at any time without penalty or loss
2 of benefits to which the subject is otherwise
3 entitled;

4 (D) a description of any reasonably
5 foreseeable risks or discomforts to the subject; and

6 (E) a statement describing the extent, if any,
7 to which confidentiality of records identifying the
8 subject will be maintained; therefore, be it

9 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE
10 NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that
11 the House Task Force on the Rights of Homeless Persons is
12 established, to consist of 5 members, 3 appointed by the
13 Speaker of the House of Representatives and 2 appointed by
14 the Minority Leader of the House of Representatives; the
15 Speaker shall designate one of his appointees as the
16 chairperson; and the members shall serve without compensation
17 but shall be reimbursed for their reasonable and necessary
18 expenses from moneys appropriated for that purpose; and be it
19 further

20 RESOLVED, That the Task Force shall study ways in which
21 the Department of Public Health could monitor and enforce the
22 rights of homeless persons set forth in this Resolution,
23 including ways in which the Department could utilize one or
24 more local health departments or local health officers to
25 monitor and enforce those rights; and be it further

26 RESOLVED, That the Task Force shall also study ways in
27 which the Department of Commerce and Economic Opportunity
28 could establish priorities of eligibility for temporary
29 rental or other housing assistance among the various
30 categories of persons needing assistance in obtaining or
31 retaining housing, including, without limitation, persons
32 subject to immediate eviction for nonpayment of rent or

1 subject to foreclosure for nonpayment of mortgage
2 installments or property taxes, when nonpayment is
3 attributable to illness, unemployment, underemployment, or
4 any other failure of lack of resources beyond the person's
5 control; and be it further

6 RESOLVED, That the Task Force shall receive the
7 assistance of legislative staff and shall report its findings
8 to the House of Representatives on or before January 1, 2004.