

1 AN ACT in relation to homeless persons.

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

4 Section 1. Short title. This Act may be cited as the
5 Bill of Rights for the Homeless Act.

6 Section 5. Legislative intent. It is the long-standing
7 policy of this State that no person should suffer
8 unnecessarily from cold or hunger, or be deprived of shelter
9 or the basic rights incident to shelter. At the present time,
10 many persons have been rendered homeless as a result of
11 economic adversity, a severe shortage of affordable housing,
12 and increased stress due to the complexity of daily living
13 that has created an inability on the part of those persons
14 to interact in society. It is the intent of this Act to
15 lessen the adverse affects and conditions caused by the lack
16 of residence or a home.

17 Section 10. Bill of Rights.

18 (a) No person's rights, privileges, or access to public
19 services may be denied or abridged solely because he or she
20 is homeless. Such a person shall be granted the same rights
21 and privileges as any other citizen of this State. These
22 rights include but are not limited to the following:

23 (1) The right to live in any community in this
24 State in which he or she can afford to live.

25 (2) The right to choose a type of living
26 arrangements in accordance with local regulations
27 without harassment or interference from any other
28 citizen or from any public or private entity.

29 (3) The right to employment and training
30 opportunities in accordance with his or her interests

1 and abilities.

2 (4) The right to access to emergency medical health
3 services in any health care facility doing business in
4 this State.

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

16 (6) The right to not be coerced or penalized in any
17 way for not taking any medication or for not undergoing
18 any medical treatment that has not been authorized by a
19 qualified physician.

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

33 (8) The right to vote, which may not be denied
34 solely because the person does not have a permanent

1 residence.

2 (9) The right of visitation with family members,
3 friends, clergy, and professional or public consultants
4 notwithstanding the person's living arrangements, as long
5 as the visitation does not interfere with the smooth
6 operation of the person's place of residence.

7 (10) The right to receive public services or
8 accommodations offered to any other citizen of this State
9 in accordance, with established eligibility guidelines
10 for those services.

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

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

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

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

1 and the subject may discontinue participation in the
2 record release at any time without penalty or loss
3 of benefits to which the subject is otherwise
4 entitled;

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

7 (E) a statement describing the extent, if any,
8 to which confidentiality of records identifying the
9 subject will be maintained.

10 (b) The Department of Public Health shall monitor and
11 enforce the rights of homeless persons set forth in
12 subsection (a). The Department may designate one or more
13 local health departments or local health officers to monitor
14 and enforce those rights.

15 Section 15. DCCA; housing assistance. The Department of
16 Commerce and Community Affairs may establish priorities of
17 eligibility for temporary rental or other housing assistance
18 among the various categories of persons needing assistance
19 in obtaining or retaining housing, including, without
20 limitation, persons subject to immediate eviction for
21 nonpayment of rent or subject to foreclosure for nonpayment
22 of mortgage installments or property taxes, when nonpayment
23 is attributable to illness, unemployment, underemployment, or
24 any other failure of lack of resources beyond the person's
25 control.