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HOUSE RESOLUTION

WHEREAS, It is the long-standing policy of this State that no person should suffer unnecessarily from cold or hunger, or be deprived of shelter or the basic rights incident to shelter; at the present time, many persons have been rendered homeless as a result of economic adversity, a severe shortage of affordable housing, and increased stress due to the complexity of daily living that has created an inability on the part of those persons to interact in society; and

WHEREAS, No person's rights, privileges, or access to public services may be denied or abridged solely because he or she is homeless; such a person possesses the same rights and privileges as any other citizen of this State; and

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

- (1) The right to live in any community in this State in which he or she can afford to live;
- (2) The right to choose a type of living arrangements in accordance with local regulations without harassment or interference from any other citizen or from any public or private entity;
- (3) The right to employment and training opportunities in accordance with his or her interests and abilities;
- (4) The right to access emergency medical health services in any health care facility doing business in this State;
- (5) The right to manage his or her own personal finances notwithstanding his or her living arrangements, unless (i) the person voluntarily signs a written agreement, sworn to and witnessed before a notary public, authorizing an individual or agency to manage his or her finances, (ii) the person resides in a shelter for homeless persons and has enrolled in a savings program designed to

1 provide rent money upon the person's departure from the
2 shelter, or (iii) the person has been ruled or adjudicated
3 by a court of competent jurisdiction to be incompetent to
4 manage his or her financial affairs;

5 (6) The right to not be coerced or penalized in any way
6 for not taking any medication or for not undergoing any
7 medical treatment that has not been authorized by a
8 qualified physician;

9 (7) In the case of a group living arrangement or
10 long-term care facility, the right to receive and sign any
11 check, voucher, or other warrant or legal tender issued in
12 his or her name before the moneys may be expended by the
13 person's landlord or a public or private agency, unless the
14 person waives the right in a writing sworn to before a
15 notary public; if the person is unable to sign his or her
16 name, the person may make his or her signature with an "X"
17 that is witnessed by 2 other persons not employed or
18 directly associated with the landlord or agency,
19 preferably a relative or guardian of the person or someone
20 designated by the person beforehand;

21 (8) The right to vote, which may not be denied solely
22 because the person does not have a permanent residence,
23 notwithstanding any provision of the Election Code;

24 (9) The right of visitation with family members,
25 friends, clergy, and professional or public consultants
26 notwithstanding the person's living arrangements, as long
27 as the visitation does not interfere with the smooth
28 operation of the person's place of residence;

29 (10) The right to receive public services or
30 accommodations offered to any other citizen of this State
31 in accordance, with established eligibility guidelines for
32 those services; and

33 (11) The right to confidentiality of records; homeless
34 shelters should obtain a voluntary written release from a
35 homeless person prior to disclosing any personal
36 information regarding the homeless person, including, but

1 not limited to, name, social security number, and birth
2 date, except in aggregate form; the right to
3 confidentiality of records includes the dissemination of
4 materials to other agencies, either private or public; the
5 homeless person should be given the option of whether to
6 release records via informed consent, based on guidelines
7 from the Office of Human Research Protections, United
8 States Department of Health and Human Services, including:

9 (A) the expected duration of the subject's
10 participation;

11 (B) an explanation of whom to contact for answers
12 to pertinent questions about the research and research
13 subjects' rights, and whom to contact in the event of a
14 research-related injury to the subject;

15 (C) a statement that participation in releasing
16 records is voluntary, refusal to participate will
17 involve no penalty or loss of benefits to which the
18 subject is otherwise entitled, and the subject may
19 discontinue participation in the record release at any
20 time without penalty or loss of benefits to which the
21 subject is otherwise entitled;

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

24 (E) a statement describing the extent, if any, to
25 which confidentiality of records identifying the
26 subject will be maintained; and

27 WHEREAS, A task force should be created to study these
28 rights and others possessed by homeless persons and make
29 recommendations concerning legislation that is needed to
30 ensure that homeless persons are able to fully enjoy all of
31 their rights; therefore, be it

32 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE
33 NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that
34 the House Task Force on the Rights of the Homeless is created,

1 consisting of 9 members appointed by the Speaker of the House
2 of Representatives as follows: 4 members who are legislators; 4
3 members of the public who represent advocates for homeless
4 persons; and one chairperson of the task force; and be it
5 further

6 RESOLVED, That the task force shall study the rights of
7 homeless persons, including the rights set forth in this
8 Resolution as well as other rights possessed by homeless
9 persons; the task force shall conduct hearings in various
10 geographic areas of the State as it deems appropriate and shall
11 give interested persons an opportunity to present oral or
12 written evidence, or both, concerning the rights of homeless
13 persons and barriers to homeless persons' enjoyment of their
14 rights; and be it further

15 RESOLVED, That the task force shall report its findings and
16 recommendations to the House of Representatives no later than
17 January 1, 2005.