
A BILL FOR AN ACT

RELATING TO THE HOUSELESS BILL OF RIGHTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The Hawaii Revised Statutes is amended by
2 adding a new chapter to be appropriately designated and to read
3 as follows:

4 "CHAPTER

5 HOUSELESS BILL OF RIGHTS

6 § -1 **Definitions.** As used in this chapter, unless the
7 context otherwise requires:

8 "Houseless" means:

9 (1) An individual or family who lacks a fixed, regular,
10 and adequate night-time residence; or

11 (2) An individual or family who has a primary night-time
12 residence that is:

13 (A) A supervised publicly or privately operated
14 shelter designed to provide temporary living
15 accommodations;

16 (B) An institution that provides temporary residence
17 for individuals intended to be institutionalized;

18 or



1 (C) A public or private place not designed for or
2 ordinarily used as sleeping accommodations for
3 human beings.

4 This term does not include any individual imprisoned or
5 otherwise detained under an act of Congress or a state law.

6 "Life-sustaining activities" includes but is not limited to
7 eating, sleeping, standing, sitting, and using and moving freely
8 in a public space.

9 § -2 Purpose. The purpose of this chapter is to
10 ameliorate adverse effects visited upon individuals when those
11 individuals lack a home.

12 § -3 Houseless bill of rights; findings. The
13 legislature finds that no person's rights, privileges, or access
14 to public services may be denied solely because a person is
15 houseless, and a houseless individual shall be granted the same
16 rights as any other person.

17 § -4 Bill of rights. (a) The houseless bill of rights
18 includes the following guarantees to houseless individuals:

19 (1) The right to engage in life-sustaining activities,
20 including the right to use and move freely in public
21 spaces, including but not limited to public sidewalks,



- 1 public parks, public transportation, and public
2 buildings, in the same manner as any other person
3 without discrimination on the basis of housing status;
- 4 (2) The right to equal treatment by all state and county
5 agencies without discrimination on the basis of
6 housing status;
- 7 (3) The right to access fair housing and equal employment
8 opportunity without discrimination due to the lack of
9 a permanent mailing address or the fact that the
10 individual's mailing address is the mailing address of
11 a shelter or social service provider;
- 12 (4) The right to emergency medical care free from
13 discrimination on the basis of housing status;
- 14 (5) The right to vote, register to vote, and receive
15 documentation necessary to prove identity for voting
16 without discrimination on the basis of housing status;
- 17 (6) The right to protection from disclosure of records and
18 information, without proper legal authority, and the
19 right to confidentiality of records and information in
20 accordance with the Federal Homeless Management
21 Information System, the Patient Protection and



1 Affordable Care Act, and the Federal Violence Against
2 Women Act;

3 (7) The right to a reasonable expectation of privacy in
4 personal property, including but not limited to
5 identification, food, water, medication, and all
6 objects necessary for life-sustaining activities, such
7 as clothing, blankets, pillows, and backpacks, to the
8 same extent as personal property in a permanent
9 residence;

10 (8) The right to access temporary and permanent shelters
11 without discrimination on the basis of any protected
12 class;

13 (9) The right to sleep in a legally parked automobile;
14 provided that the automobile is properly registered,
15 licensed, safety inspected, and insured;

16 (10) The equal opportunity to have twenty-four-hour access
17 to public hygiene facilities and live in decent, safe,
18 sanitary, and healthful accommodations anywhere within
19 the State, regardless of housing status, but not
20 including access to environmentally sensitive areas;
21 and



1 (11) Action by the State, a county, or private organization
2 shall not impede an individual's ability to maintain
3 access to services essential to survival, including
4 but not limited to medical services, shelter, food,
5 and water.

6 (b) The rights afforded to houseless persons to ensure
7 that their person, privacy, and property are safeguarded and
8 protected as set forth in this chapter are available only
9 insofar as they are implemented in accordance with other state
10 or county laws, state rules and regulations, federal law, and
11 the constitutions of the State and the United States."

12 SECTION 2. This Act shall take effect on January 7, 2059.



Report Title:

Houseless Bill of Rights

Description:

Defines specific rights granted to a person who is houseless including equal access to housing, jobs, and shelters, equal treatment by government agencies, and access to life-sustaining activities and essential services. Effective 01/07/2059. (SD1)

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