

S.76/H.150 An Act related to the safety, dignity, and civil rights of persons experiencing homelessness

**Sponsors: Senator Becca Rausch (D-Needham)
Representative Liz Miranda (D-Boston)**

The Act of Living

The Act of Living protects the rights of people experiencing homelessness in three ways:

1. Extends anti-discrimination protections in Chapter 151B and Chapter 272 of the Massachusetts General Laws to persons experiencing homelessness, including protections when seeking employment, housing, voter registration, and access to public spaces and places of public accommodation.
2. Secures the right of persons experiencing homelessness to rest, seek shelter from the elements, occupy a legally parked car, pray, eat, and avoid needless harassment in public spaces.
3. Repeals Sections 63 through 69 of Chapter 272 of the MGL, which includes archaic and derogatory laws criminalizing homelessness.

Context: Homelessness in Massachusetts

- According to the U.S. Department of Housing and Urban Development, **20,068 people experienced homelessness in Massachusetts in 2018**. This was a 14.2 percent increase from 2017 – the largest increase nationally – totaling over 2,500 people.
- Nearly **1,000 Massachusetts residents remained unsheltered in 2018**.
- Access to emergency shelters, including LGBTQ+ friendly shelters, varies drastically statewide.
- Aside from archaic and derogatory laws criminalizing “vagrants,” “tramps,” and “vagabonds,” **state law currently provides no guidance to municipalities** on how to treat unsheltered people experiencing homelessness.

Discrimination against people experiencing homelessness

- Nationwide, municipalities have enacted anti-homeless ordinances and arrested people for acts of survival: sleeping in vehicles, asking for money, lying down in public, sharing food, and more. The Act of Living would protect persons experiencing homelessness from these unfair policies in MA.
- Research consistently shows that people experiencing homelessness want to work. In a 2014 survey, the National Coalition for the Homeless reported that 70.4% of homeless respondents felt that they had been discriminated against by private businesses based on housing status.
- LGBTQ youth both in Massachusetts and nationally report being turned away from shelters. They also report instances of homophobia and transphobia while in shelters.

Decriminalizing acts of survival in public spaces protects unsheltered people experiencing homelessness from needless harassment and costly and unnecessary involvement with the criminal justice system.

Providing civil rights protections to people experiencing homelessness will reduce the barriers they face trying to get themselves back up on their feet.

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