

S.142/H.264 An Act providing a bill of rights for people experiencing homelessness

**Sponsors: Senator Becca Rausch (D-Needham)
Representative Smitty Pignatelli (D-Lennox), Frank Moran (D-Lawrence)**

The Homeless Bill of Rights

This bill protects the rights of people experiencing homelessness in four 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. Provides people experiencing homelessness the right to a private right of action in the event of a violation of their rights provided under this bill.
4. Repeals Sections 63 through 69 of Chapter 272 of the Massachusetts General Laws, which includes archaic and derogatory terminology and laws criminalizing homelessness.

Context: Homelessness in Massachusetts

- Homelessness in the United States has been on the rise even prior to the COVID-19 pandemic. According to the U.S. Department of Housing and Urban Development, **17,975 people experienced homelessness in Massachusetts in 2020.**
- Between 2007 and 2020, Massachusetts has seen an 18.8% increase in homelessness, the third highest in the nation during this period.
- Over **1,200 Massachusetts residents remained unsheltered in 2020.**
- According to the 2019 MA Youth Count, 25% of youth facing housing insecurity were LGBTQ+ and over 31% were involved in the foster care system.

Discrimination against people experiencing homelessness

- Nationally, municipalities have enacted anti-homeless ordinances and arrested people for acts of survival: sleeping in vehicles, asking for money, sharing food, and more. This bill 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 exit homelessness for good.

For more information, please contact Evan Berry, Office of Senator Rausch, at 617-722-1555 or evan.berry@masenate.gov.