AN ACT

RELATING TO STATE AFFAIRS AND GOVERNMENT -- EMERGENCY SHELTERS

Introduced By: Representatives Lombardi, Cassar, Hull, and Walsh

Date Introduced: January 10, 2019

Referred To: House Finance

It is enacted by the General Assembly as follows:

SECTION 1. Title 42 of the General Laws entitled "STATE AFFAIRS AND GOVERNMENT" is hereby amended by adding thereto the following chapter:

CHAPTER 128.3

EMERGENCY SHELTERS

42-128.3-1. Definitions.

As used in this chapter, the following words shall have the following meanings:

"Emergency shelter" means a facility with overnight sleeping accommodations, the primary purpose of which is to provide temporary shelter for the homeless in general or for specific populations of the homeless.

42-128.3-2. Licensing and exemption.

(a) The housing resources commission shall establish an application for an emergency shelter license no later than January 1, 2020. Upon receipt of an application for a license, the licensing agency shall issue a license if the applicant meets the requirements established pursuant to this chapter. A license issued under the provisions of this section shall be the property of the state and loaned to the licensee, and it shall be posted in a conspicuous place on the licensed premises. Each license shall be issued only for the premises and persons named in the application, and shall not be transferable or assignable except with the written approval of the commission. No fee shall be charged for the license.

(b) Any emergency shelter established due to a natural disaster, impending dangerous
storm, or other event, including, but not limited to, fires, hurricanes or blizzards, shall be exempt
from this chapter.

42-128.3-3. Minimum shelter standards.

(a) All emergency shelters that are required to be licensed shall:

(1) Provide a safe place for a person to temporarily reside. Safety of residents and staff
shall be the shelters’ top priority;

(2) Make drinking water available to residents and proper bathroom facilities as required
by the state building code in chapter 27.3 of title 23;

(3) Develop a written policy regarding the privacy and confidentiality of its residents as
required by state and federal law;

(4) Establish an approved procedure for the safe transfer of a person seeking shelter or
having been sheltered at the licensed premises, who can no longer reside in the shelter at the
licensed premises in question. The established procedure shall be posted in a conspicuous place
on the licensed premises that is in an area accessed frequently by residents.

(b) The housing resources commission shall promulgate additional minimum shelter
standards that shall apply to emergency shelters that are at least partially funded by the state, no
later than December 1, 2019.

42-128.3-4. Grievance procedure.

The housing resource commission shall promulgate a grievance procedure designed to
address complaints of persons who have resided or attempted to reside in any emergency shelter
within this state. Grievance procedures shall be posted in the licensed premises in a conspicuous
place accessed frequently by residents.

42-128.3-5. Fees prohibited.

Any fees or payments of money for the purposes of providing shelter and personal care
items, including, but not limited to, linens, toiletries and diapers shall be prohibited unless
otherwise allowable by state or federal law. Resident funds provided to a shelter for the purposes
of teaching financial literacy or creating a "savings account" are permitted if the funds are
returned to the resident at the appropriate time or upon request.

SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
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RELATING TO STATE AFFAIRS AND GOVERNMENT -- EMERGENCY SHELTERS

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1 This act would establish rules and procedures for licensing emergency shelters, including
   setting minimum standards and prohibiting the charging of fees to the residents.

2 This act would take effect upon passage.

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