

2021 -- H 5591

LC001691

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY
JANUARY SESSION, A.D. 2021

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- EMERGENCY SHELTERS

Introduced By: Representatives Lombardi, and Henries

Date Introduced: February 12, 2021

Referred To: House Municipal Government & Housing

It is enacted by the General Assembly as follows:

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

3 CHAPTER 128.3

4 EMERGENCY SHELTERS

5 **42-128.3-1. Definitions.**

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

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

10 **42-128.3-2. Licensing and exemption.**

11 (a) The housing resources commission shall establish an application for an emergency
12 shelter license no later than January 1, 2022. Upon receipt of an application for a license, the
13 licensing agency shall issue a license if the applicant meets the requirements established pursuant
14 to this chapter. A license issued under the provisions of this section shall be the property of the
15 state and loaned to the licensee, and it shall be posted in a conspicuous place on the licensed
16 premises. Each license shall be issued only for the premises and persons named in the application,
17 and shall not be transferable or assignable except with the written approval of the commission. No
18 fee shall be charged for the license.

19 (b) Any emergency shelter established due to a natural disaster, impending dangerous

1 storm, or other event, including, but not limited to, fires, hurricanes or blizzards, shall be exempt
2 from this chapter.

3 **42-128.3-3. Minimum shelter standards.**

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

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

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

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

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

15 (b) The housing resources commission shall promulgate additional minimum shelter
16 standards that shall apply to emergency shelters that are at least partially funded by the state, no
17 later than December 1, 2021.

18 **42-128.3-4. Grievance procedure.**

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

23 **42-128.3-5. Fees prohibited.**

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

29 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- EMERGENCY SHELTERS

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

3 This act would take effect upon passage.

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