A bill for an act

relating to human services; creating a shelter inhabitants' bill of rights; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 256K.

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

Section 1. **[256K.50] SHELTER INHABITANTS' BILL OF RIGHTS.**

Subdivision 1. **Definitions.** (a) For purposes of this section, the terms defined in this subdivision have the meanings given.

(b) "Homeless" or "homelessness" means lacking a fixed, regular, and adequate nighttime residence.

(c) "Homeless shelter" or "shelter" means any facility, regardless of nature of ownership or operation or source of funding, intended for temporary indoor sleeping accommodations for persons who are homeless, including single adults, families, youth, or survivors of domestic violence or sexual assault. Homeless shelter or shelter does not include a shelter located on Tribal land or owned, operated, or administered by a Tribe.

(d) "Inhabitant" means an inhabitant of a homeless shelter in Minnesota.

Subd. 2. **Right to be treated with dignity and respect.** (a) Inhabitants have the right to be treated with courtesy, dignity, and respect for their humanity, individuality, identity, and property by staff, volunteers, contractors, and agents of a shelter. Inhabitants have the right to be treated equally and without discrimination because of their race, color, ethnicity, national origin, religion, creed, citizenship status, age, disability, gender, gender identity, sexual orientation, employment status, source of income, personal appearance, status as a military veteran, marital status, familial status, medical history, limited English proficiency,

2.1 or the lack of a valid state driver's license, nondriver ID, or other form of government-issued
2.2 identification.

2.3 (b) Nothing in this section prohibits denial of shelter to:

2.4 (1) a single adult by a shelter serving families only;

2.5 (2) a family by a shelter serving single adults only;

2.6 (3) an ineligible person by a shelter serving youths only; or

2.7 (4) an ineligible person by a shelter serving survivors of domestic violence only.

2.8 Subd. 3. **Right to adequate facilities.** Inhabitants have the right to be sheltered in
2.9 facilities that are clean, sanitary, and adequate to meet their temporary housing needs,
2.10 including but not limited to sufficient and accessible restroom and shower facilities, sufficient
2.11 space for wheelchairs and walkers, and the provision of bedding and basic hygiene
2.12 necessities. If a shelter serves food, inhabitants have the right to food prepared in a safe and
2.13 sanitary manner in accordance with all applicable health codes.

2.14 Subd. 4. **Right to reasonable accommodations.** (a) Inhabitants with disabilities have
2.15 the right to reasonable accommodations and modifications of policies, practices, and
2.16 procedures, including the rights and remedies granted under the Americans with Disabilities
2.17 Act, the Fair Housing Act, section 504 of the Rehabilitation Act, and the Minnesota Human
2.18 Rights Act.

2.19 (b) Inhabitants have the right to reasonable modification of rules and policies to
2.20 accommodate work or child care hours and schedules, emergencies, obligations to care for
2.21 relatives who do not reside in the shelter, and other extenuating circumstances that would
2.22 result in the need to leave or return at times other than those articulated in the shelter rules
2.23 to ensure no inhabitant is unreasonably denied entry to the shelter facility.

2.24 (c) Shelters must take, to the extent possible, reasonable measures to:

2.25 (1) ensure that inhabitants with limited English proficiency understand the shelter rules
2.26 and policies and can communicate with staff; and

2.27 (2) accommodate inhabitants with special dietary needs or religious restrictions.

2.28 Subd. 5. **Right to privacy.** Inhabitants have the right to personal privacy, at a minimum
2.29 when:

2.30 (1) changing clothes;

2.31 (2) using toilets, showers, and baths; and

3.1 (3) during medical examination or treatment.

3.2 Subd. 6. **Right to confidentiality of records.** Inhabitants have the right to have their
3.3 personal, financial, health, and medical records kept private. Except as otherwise required
3.4 or allowed under law, a shelter may not release an inhabitant's records without the inhabitant's
3.5 consent.

3.6 Subd. 7. **Right to know about shelter rules and available resources.** Upon admission
3.7 to a shelter, or as soon as practicable thereafter, inhabitants must be offered a written notice
3.8 that includes:

3.9 (1) the rules of the shelter and person to whom questions or concerns can be directed;

3.10 (2) a list of the rights enumerated in this section;

3.11 (3) the shelter's procedures for requesting accommodations under subdivision 4; and

3.12 (4) a list of, and contact information for, public and private resources, including
3.13 organizations providing:

3.14 (i) mental, physical, and chemical health care;

3.15 (ii) case management, housing, or employment services; and

3.16 (iii) assistance accessing public benefits.

3.17 Subd. 8. **Right to meet with attorneys, advocates, and others.** Inhabitants have the
3.18 right to meet and communicate privately with attorneys, advocates, clergy, physicians,
3.19 medical providers, social workers, and other professionals. The meetings must be allowed
3.20 at reasonable hours and immediately when necessary in an emergency, consistent with any
3.21 physical limitations of the shelter facility.

3.22 Subd. 9. **Right to complain.** Inhabitants have the right to file, without fear of retaliation,
3.23 grievances with the shelter provider, the ombudsperson for shelter inhabitants, or any other
3.24 relevant government entity regarding inhabitant treatment or the services provided by the
3.25 shelter.

3.26 Subd. 10. **Displacements.** (a) A shelter may displace an inhabitant if the shelter
3.27 determines that the inhabitant poses a danger to shelter staff or other inhabitants based on
3.28 a credible report that the inhabitant committed an act that would constitute criminal sexual
3.29 conduct under sections 609.342 to 609.3451, inflicted or attempted to inflict bodily harm
3.30 upon another, or used or threatened the use of a dangerous weapon as defined in section
3.31 609.02, subdivision 6. In all other cases, displacement may occur only in the most severe
3.32 circumstances.

4.1 (b) Shelters must exercise judgment and before displacing an inhabitant must:

4.2 (1) give the inhabitant the right to explain or refute the allegations that form the basis
4.3 of the displacement; and

4.4 (2) examine all extenuating circumstances, including but not limited to:

4.5 (i) the inhabitant's age and any known or apparent mental health conditions; and

4.6 (ii) whether displacement in dangerous weather conditions will jeopardize the life, health,
4.7 or safety of the inhabitant.

4.8 (c) A inhabitant that is displaced has the right to written documentation of the reason
4.9 for the displacement; the effective date of the displacement; the procedure to file a grievance
4.10 or, if applicable, appeal; and contact information for the ombudsperson for shelter inhabitants.

4.11 Subd. 11. **No effect on other rights.** Nothing in this section shall be construed to
4.12 eliminate, limit, or modify any rights of the inhabitant, including rights of notice or appeal,
4.13 granted under any other provision of law.

4.14 **EFFECTIVE DATE.** This section is effective August 1, 2023, except subdivision 7 is
4.15 effective January 1, 2024.

4.16 Sec. 2. **DIRECTION TO COMMISSIONER; SHELTER INHABITANTS' BILL OF**
4.17 **RIGHTS.**

4.18 No later than January 1, 2024, the commissioner of human services, in consultation with
4.19 relevant state and local agencies, including the Minnesota Interagency Council on
4.20 Homelessness and nonprofit organizations serving or advocating for individuals and families
4.21 who are experiencing homelessness, shall develop the list of resources required to be
4.22 distributed under Minnesota Statutes, section 256K.50, subdivision 7.

4.23 Sec. 3. **APPROPRIATION; SHELTER INHABITANTS' BILL OF RIGHTS.**

4.24 $..... in fiscal year 2024 is appropriated from the general fund to the commissioner of
4.25 human services to develop the list of resources required to be distributed under Minnesota
4.26 Statutes, section 256K.50, subdivision 7. This is a onetime appropriation.