# HB0362S01 compared with HB0362

{Omitted text} shows text that was in HB0362 but was omitted in HB0362S01
inserted text shows text that was not in HB0362 but was inserted into HB0362S01

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1         **Homeless Rights Amendments**

·         2025 GENERAL SESSION

·         STATE OF UTAH

·         **Chief Sponsor: Grant Amjad Miller**

·         Senate Sponsor:

2

3    **LONG TITLE**

4    **General Description:**

5       This bill describes the rights of homeless individuals.

6    **Highlighted Provisions:**

7       This bill:

8       ‣ describes a homeless individual's rights, including the right to:

9         • receive equal treatment by the state and a political subdivision of the state in the same manner as any other individual;

11         • register to vote and to vote in elections; and

12         • the protection of personal information;

13       ‣ provides that a homeless individual has a right of action against a person who violates the homeless individual's rights; and

15       ‣ provides a statute of limitations for a homeless individual to bring a right of action against a person who violates the homeless individual's rights.

17    **Money Appropriated in this Bill:**

18       None

19     None

22     ENACTS:

23     **35A-16-801** , Utah Code Annotated 1953 , Utah Code Annotated 1953

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25     *Be it enacted by the Legislature of the state of Utah:*

26         Section 1.  Section **1** is enacted to read:

27                     **Part 8. Right of Homeless Individuals**

28         **35A-16-801. Rights of homeless individuals -- Right of action -- Statute of limitations.**

30     (1)  As used in this part, "type of homelessness" means the same as that term is defined in Section
        35A-16-102.

32     (2)  An individual who experiences a type of homelessness shall be given equal treatment by the state
        and a political subdivision of the state in the same manner as any other individual, including the
        right to:

35     {(a)  {a reasonable expectation of privacy in the individual's property;} }

36     {(b)} (a)  move freely in public spaces {without harassment or intimidation from law enforcement
        officials} when those spaces are open and available to the public;

38     {(c)} (b)  obtain employment regardless of housing status and as provided under Title 34A, Chapter 5,
        Utah Antidiscrimination Act; and

40     {(d)} (c)  receive emergency medical care in accordance with state and federal law, including the
        Emergency Medical Treatment and Labor Act (EMTALA).

42     (3)  In accordance with Title 20A, Election Code, a homeless individual has the right to:

43     (a)  register to vote; and

44     (b)  vote in an election as provided in Title 20A, Chapter 3a, Voting.

45     (4)  The state or a political subdivision of the state that is in possession of a record containing personal
        information belonging to or regarding a homeless individual shall manage the information in
        accordance with:

48     (a)  applicable state and federal laws; and

49     (b)  the provisions of Title 63G, Chapter 2, Government Records Access and Management Act.

51     (5)

.      (a)  An individual experiencing homelessness has a right of action in state court against a person who
        violates this section.

53    (b)  If the court finds a violation of this section in an action under Subsection (5)(a), the court may:

55    (i)  enjoin the violation; or

56    (ii)  award to the individual experiencing homelessness:

57    {(A)  {actual damages;} }

58    {(B)} (A)  reasonable court costs; or

59    {(C)} (B)  reasonable attorney fees.

60    (c)  An individual experiencing homelessness may only bring a right of action under Subsection (5)(a) within one year after the day on which the person violated this section.

60         Section 2.  **Effective date.**

           This bill takes effect on May 7, 2025.

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