

1 **Homeless Rights Amendments**

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Grant Amjad Miller

Senate Sponsor:

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
10 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
14 homeless individual's rights; and

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

17 **Money Appropriated in this Bill:**

18 None

19 **Other Special Clauses:**

20 None

21 **Utah Code Sections Affected:**

22 ENACTS:

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

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

26 Section 1. Section **35A-16-801** is enacted to read:

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

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

30 (1) As used in this part, "type of homelessness" means the same as that term is defined in

- 31 Section 35A-16-102.
- 32 (2) An individual who experiences a type of homelessness shall be given equal treatment by
33 the state and a political subdivision of the state in the same manner as any other
34 individual, including the right to:
- 35 (a) a reasonable expectation of privacy in the individual's property;
36 (b) move freely in public spaces without harassment or intimidation from law
37 enforcement officials;
38 (c) obtain employment regardless of housing status and as provided under Title 34A,
39 Chapter 5, Utah Antidiscrimination Act; and
40 (d) receive emergency medical care in accordance with state and federal law, including
41 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
46 containing personal information belonging to or regarding a homeless individual shall
47 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
50 Management Act.
- 51 (5)(a) An individual experiencing homelessness has a right of action in state court
52 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
54 court may:
- 55 (i) enjoin the violation; or
56 (ii) award to the individual experiencing homelessness:
- 57 (A) actual damages;
58 (B) reasonable court costs; or
59 (C) reasonable attorney fees.
- 60 (c) An individual experiencing homelessness may only bring a right of action under
61 Subsection (5)(a) within one year after the day on which the person violated this
62 section.

63 **Section 2. Effective Date.**

64 This bill takes effect on May 7, 2025.