

HOUSE BILL 1325

C9, F5, L6

4lr1465

By: **Delegate Addison**

Introduced and read first time: February 9, 2024

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Individuals Experiencing Homelessness – Address Requirements – Prohibition**

3 FOR the purpose of prohibiting a public library, a recipient of a certain award from the
4 Department of Housing and Community Development, the Department, a public
5 housing agency, a county, or a municipality from requiring an individual
6 experiencing homelessness to provide a current address in certain circumstances;
7 and generally relating to address requirements for individuals experiencing
8 homelessness.

9 BY adding to

10 Article – Education

11 Section 23–411

12 Annotated Code of Maryland

13 (2022 Replacement Volume and 2023 Supplement)

14 BY adding to

15 Article – Housing and Community Development

16 Section 1–103

17 Annotated Code of Maryland

18 (2019 Replacement Volume and 2023 Supplement)

19 BY repealing and reenacting, with amendments,

20 Article – Housing and Community Development

21 Section 4–2905

22 Annotated Code of Maryland

23 (2019 Replacement Volume and 2023 Supplement)

24 BY repealing and reenacting, with amendments,

25 Article – Local Government

26 Section 1–201

27 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2013 Volume and 2023 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Education

23–411.

(A) IN THIS SECTION, “INDIVIDUAL EXPERIENCING HOMELESSNESS” HAS
THE SAME MEANING AS “HOMELESS INDIVIDUAL” UNDER THE FEDERAL
MCKINNEY–VENTO HOMELESS ASSISTANCE ACT.

(B) A PUBLIC LIBRARY MAY NOT REQUIRE AN INDIVIDUAL EXPERIENCING
HOMELESSNESS TO PROVIDE A CURRENT ADDRESS BEFORE ISSUING A LIBRARY
CARD TO THE INDIVIDUAL.

Article – Housing and Community Development

1–103.

(A) IN THIS SECTION, “INDIVIDUAL EXPERIENCING HOMELESSNESS” HAS
THE SAME MEANING AS “HOMELESS INDIVIDUAL” UNDER THE FEDERAL
MCKINNEY–VENTO HOMELESS ASSISTANCE ACT.

(B) THIS SECTION APPLIES TO A PROGRAM OPERATED BY THE
DEPARTMENT THAT AWARDS GRANTS AND LOANS THAT MAY BE USED TO PROVIDE
AFFORDABLE SINGLE–FAMILY OR MULTIFAMILY HOUSING.

(C) A RECIPIENT OF AN AWARD MAY NOT REQUIRE AN INDIVIDUAL
EXPERIENCING HOMELESSNESS TO PROVIDE A CURRENT ADDRESS AS A CONDITION
OF ELIGIBILITY ON A RESIDENTIAL APPLICATION.

(D) THE DEPARTMENT SHALL ADOPT REGULATIONS THAT ARE NECESSARY
TO CARRY OUT THE PURPOSE OF THIS SECTION.

4–2905.

(A) To be eligible for a housing assistance payment under the State Program, a
family shall:

(1) reside in the State;

(2) be on a federal housing choice voucher waiting list; and

(3) meet low-income eligibility limits under the federal Housing Choice Voucher Program or income requirements as determined by the public housing agency.

(B) THE DEPARTMENT OR A PUBLIC HOUSING AGENCY MAY NOT REQUIRE AN INDIVIDUAL EXPERIENCING HOMELESSNESS, AS DEFINED IN § 1-103 OF THIS ARTICLE, TO PROVIDE A CURRENT ADDRESS AS A CONDITION OF ELIGIBILITY FOR A HOUSING ASSISTANCE PAYMENT.

Article – Local Government

1–201.

(a) IN THIS SECTION, “INDIVIDUAL EXPERIENCING HOMELESSNESS” HAS THE SAME MEANING AS “HOMELESS INDIVIDUAL” UNDER THE FEDERAL MCKINNEY-VENTO HOMELESS ASSISTANCE ACT.

(B) This section does not apply to:

(1) an elected official;

(2) the head of a unit of a county or municipality who reports directly to:

(i) the chief administrative officer of the county or municipality;

(ii) an elected executive; or

(iii) the governing body of the county or municipality; or

(3) the chief administrative officer of the county or municipality.

[(b)] (C) (1) Except as provided in paragraph (2) of this subsection, a county or municipality may not require an employee [to reside in the State, county, or municipality or within a specified distance of the State, county, or municipality as a condition of employment], **AS A CONDITION OF EMPLOYMENT, TO:**

(I) RESIDE IN THE STATE, COUNTY, OR MUNICIPALITY OR WITHIN A SPECIFIED DISTANCE OF THE STATE, COUNTY, OR MUNICIPALITY; OR

(II) IF THE EMPLOYEE IS AN INDIVIDUAL EXPERIENCING HOMELESSNESS, PROVIDE A CURRENT ADDRESS.

(2) A county or municipality may require an at-will supervisory employee to reside in the State, county, or municipality or within a specified distance of the State, county, or municipality as a condition of employment if the at-will supervisory employee reports directly to the head of a unit of the county or municipality.

1 (3) Subject to subsection ~~[(c)]~~ **(D)** of this section, when making
2 employment, promotion, demotion, layoff, and discharge decisions, a county or municipality
3 may not discriminate based on an individual's place of residence.

4 ~~[(c)]~~ **(D)** A county or municipality may grant a resident of the State, county, or
5 municipality additional points or credits in employment or promotion decisions if the points
6 or credits are provided in accordance with a merit system established by the county or
7 municipality by local law or ordinance.

8 ~~[(d)]~~ **(E)** An agency created under State law that provides governmental services
9 to more than one county or municipality may not require an employee, as a condition of
10 employment, to reside in the State or a county or municipality or within a specified distance
11 of the State, a county, or a municipality for which the agency provides governmental
12 services.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2024.