

Homeless Rights Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Grant Amjad Miller

Senate Sponsor:

LONG TITLE**General Description:**

This bill describes the rights of homeless individuals.

Highlighted Provisions:

This bill:

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

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

- register to vote and to vote in elections; and

- the protection of personal information;

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

- 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.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

35A-16-801, Utah Code Annotated 1953

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

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

Part 8. Right of Homeless Individuals

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

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

Section 35A-16-102.

- (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:
- (a) a reasonable expectation of privacy in the individual's property;
 - (b) move freely in public spaces without harassment or intimidation from law enforcement officials;
 - (c) obtain employment regardless of housing status and as provided under Title 34A, Chapter 5, Utah Antidiscrimination Act; and
 - (d) receive emergency medical care in accordance with state and federal law, including the Emergency Medical Treatment and Labor Act (EMTALA).
- (3) In accordance with Title 20A, Election Code, a homeless individual has the right to:
- (a) register to vote; and
 - (b) vote in an election as provided in Title 20A, Chapter 3a, Voting.
- (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:
- (a) applicable state and federal laws; and
 - (b) the provisions of Title 63G, Chapter 2, Government Records Access and Management Act.
- (5)(a) An individual experiencing homelessness has a right of action in state court against a person who violates this section.
- (b) If the court finds a violation of this section in an action under Subsection (5)(a), the court may:
- (i) enjoin the violation; or
 - (ii) award to the individual experiencing homelessness:
 - (A) actual damages;
 - (B) reasonable court costs; or
 - (C) reasonable attorney fees.
 - (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.

Section 2. Effective Date.

This bill takes effect on May 7, 2025.