

2016 -- S 2470

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT - EMERGENCY SHELTERS

Introduced By: Senators Crowley, Jabour, Sosnowski, Miller, and Metts

Date Introduced: February 11, 2016

Referred To: Senate Housing & Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. TITLE 42 of the General Laws entitled "STATE AFFAIRS AND  
2 GOVERNMENT" is hereby amended by adding thereto the following chapter:

3 CHAPTER 128.3

4 EMERGENCY SHELTERS

5 **42-128.3-1. Definitions.** -- As used in this section, the following words shall have the  
6 following meanings:

7 (1) "Emergency shelter" means a facility with overnight sleeping accommodations, the  
8 primary purpose of which is to provide temporary shelter for the homeless in general or for  
9 specific populations of the homeless.

10 **42-128.3-2. Licensing and exemption.** -- (a) The housing resources commission shall  
11 establish an application for an emergency shelter license no later than January 1, 2017. Upon  
12 receipt of an application for a license, the licensing agency shall issue a license if the applicant  
13 meets the requirements established pursuant to this chapter. A license issued under the provisions  
14 of this section shall be the property of the state and loaned to the licensee, and it shall be posted in  
15 a conspicuous place on the licensed premises. Each license shall be issued only for the premises  
16 and persons named in the application, and shall not be transferable or assignable except with the  
17 written approval of the commission. No fee shall be charged for said license.

18 (b) Any emergency shelter established due to a natural disaster, impending dangerous  
19 storm, or other event, including, but not limited to, fires, hurricanes and blizzards, shall be

1 exempt from this chapter.

2 **42-128.3-3. Minimum shelter standards.** -- (a) All emergency shelters that are required  
3 to be licensed shall:

4 (1) Provide a safe place for a person to temporarily reside. Safety of residents and staff  
5 shall be the shelters' top priority;

6 (2) Make drinking water available to residents and proper bathroom facilities as required  
7 by the state building code in chapter 27.3 of title 23;

8 (3) Develop a written policy regarding the privacy and confidentiality of its residents as  
9 required by state and federal law;

10 (4) Establish an approved procedure for the safe transfer of a person seeking shelter or  
11 having been sheltered at the licensed premises, who can no longer reside in the shelter at the  
12 licensed premises in question. The established procedure shall be posted in conspicuous place on  
13 the licensed premises that is in area accessed frequently by residents.

14 (b) The housing resources commission shall promulgate additional minimum shelter  
15 standards that shall apply to emergency shelters that are at least partially funded by the state, no  
16 later than December 1, 2016.

17 **42-128.3-4. Grievance procedure.** -- The housing resource commission shall promulgate  
18 a grievance procedure designed to address complaints of persons who have resided or attempted  
19 to reside in any emergency shelter within this state. Grievance procedures shall be posted in the  
20 licensed premises in a conspicuous place accessed frequently by residents.

21 **42-128.3-5. Fees prohibited.** -- Any fees or payments of money for the purposes of  
22 providing shelter and personal care items, including, but not limited to, linens, toiletries and  
23 diapers shall be prohibited unless otherwise allowable by state or federal law. Resident funds  
24 provided to a shelter for the purposes of teaching financial literacy or creating a "savings  
25 account" are permitted if said funds are returned to the resident at the appropriate time or upon  
26 request.

27 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT - EMERGENCY SHELTERS

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1           This act would establish rules and procedures for licensing emergency shelters including  
2 setting minimum standards and prohibiting the charging fees to the residents.

3           This act would take effect upon passage.

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