

By Senator Smith

17-00845B-25

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1 A bill to be entitled
2 An act relating to homelessness; providing a short
3 title; amending s. 420.621, F.S.; defining the term
4 "housing status"; creating s. 420.6215, F.S.;
5 providing legislative findings; prohibiting the denial
6 or abridgment of a person's ability to access public
7 services solely because he or she is homeless;
8 providing that a person experiencing homelessness has
9 specified rights; authorizing a court to award certain
10 relief, damages, and attorney fees and costs to a
11 prevailing plaintiff in certain civil actions;
12 providing an effective date.

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14 Be It Enacted by the Legislature of the State of Florida:

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16 Section 1. This act may be cited as the "Homeless Persons
17 Dignity Act."

18 Section 2. Present subsections (6) and (7) of section
19 420.621, Florida Statutes, are redesignated as subsections (7)
20 and (8), respectively, and a new subsection (6) is added to that
21 section, to read:

22 420.621 Definitions.—As used in ss. 420.621-420.628, the
23 term:

24 (6) "Housing status" means the actual or perceived status
25 of having, not having, or being at risk of not having a fixed,
26 regular, or adequate nighttime residence, which includes, but is
27 not limited to, the status of living in a primary nighttime
28 residence that is a public or private place not designed for or
29 ordinarily used as a regular sleeping accommodation for human

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30 beings or living in a shelter designated to provide temporary
31 living arrangements.

32 Section 3. Section 420.6215, Florida Statutes, is created
33 to read:

34 420.6215 Homeless Persons Dignity Act.-

35 (1) The Legislature finds that:

36 (a) No individual should suffer unnecessarily from cold,
37 extreme heat, or hunger, be deprived of shelter, or be deprived
38 of basic rights due to lack of shelter.

39 (b) Many individuals have become homeless as a result of
40 fleeing domestic violence, exiting foster care, experiencing a
41 natural disaster, or facing an ongoing shortage of safe and
42 affordable housing.

43 (c) Persons 13 to 23 years of age are particularly likely
44 to suffer from deprivation of basic rights due to actual or
45 perceived homelessness.

46 (2) A person's ability to access public services may not be
47 denied or abridged solely because he or she is homeless. A
48 person experiencing homelessness must be provided the same
49 access to public services as any other resident of this state.

50 (3) A person experiencing homelessness has the right:

51 (a) To move freely in and use public spaces, including, but
52 not limited to, public sidewalks, public transportation, public
53 restrooms, and public buildings, ordinarily open to the public,
54 without discrimination on the basis of housing status.

55 (b) To access safe and clean drinking water, public
56 handwashing facilities, and public electricity sources without
57 discrimination on the basis of housing status.

58 (c) To the Housing First approach to homelessness as

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59 provided in s. 420.6275.

60 (d) Not to be subject to civil or criminal penalties for
61 standing, walking, or temporarily sleeping or resting in a
62 public place or vehicle in a nonobstructive manner, with or
63 without tents, sleeping bags, additional clothing, or other
64 supplies intended to make sleep comfortable and possible.

65 (e) To engage in lawful self-employment, including, but not
66 limited to, the right to seek self-employment in junk removal
67 and recycling that requires the collection, possession, storage,
68 and redemption of goods for reuse and recycling, without being
69 subject to harassment, arrest, or civil or criminal penalties.

70 (f) To pray, meditate, or practice religion in public
71 spaces without being subject to harassment, arrest, or civil or
72 criminal penalties.

73 (g) To equal treatment by all state and local governmental
74 entities without discrimination on the basis of housing status,
75 including access to 24-hour and disaster emergency shelters,
76 transitional housing, social services, public facilities such as
77 libraries, public housing, and voucher programs and other
78 similar programs.

79 (h) To Internet access and technology that enables Internet
80 access.

81 (i) To freedom from discrimination in employment,
82 education, housing, public accommodations, or similar, due to a
83 person's actual or perceived homelessness, which may include,
84 but is not limited to, lack of a permanent mailing address or
85 using a shelter's or social service provider's mailing address.

86 (j) To have emergency medical care provided without
87 discrimination on the basis of housing status.

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88 (k) For eligible citizens, to vote, register to vote, and
89 receive any identification documentation necessary to vote
90 without discrimination on the basis of housing status.

91 (l) To the confidentiality and protection from public
92 disclosure of all personally identifiable information in
93 accordance with all limitations on disclosure established by the
94 federal homeless management information system, the federal
95 Health Insurance Portability and Accountability Act of 1996, and
96 the federal Violence Against Women Act of 1994.

97 (4) In any civil action alleging a violation of this
98 section, the court may award appropriate injunctive and
99 declaratory relief, actual damages, and reasonable attorney fees
100 and costs to a prevailing plaintiff.

101 Section 4. This act shall take effect July 1, 2025.