

Testimony Regarding Homeless Bill of Rights

January 26, 2024



Testimony of the Vermont League of Cities and Towns
Ted Brady, Executive Director
House General
Regarding H. 132 (Homeless Bill of Rights)
January 25, 2024

My name is Ted Brady, and I am the Executive Director of the Vermont League of Cities and Towns, which represents all 247 cities and towns in Vermont. Thank you for asking me in to discuss H. 132, a bill establishing a homeless bill of rights and other miscellaneous provisions related to ensuring homeless Vermonters are not discriminated against.

Municipal leaders from Bradford to Brattleboro to Burlington are working hard to partner with the state and federal government to address our state's homelessness crisis. As I know this committee has heard, the Mayor of Burlington has been particularly aggressive in an attempt to expand services, build more shelter beds, and find permanent homes for those facing

houselessness. Municipalities want to continue partnering with the state to find solutions. In general, we don't feel the provisions contained in H. 132 either help or hinder our efforts to do so. Specifically, they put in statute what we already know – there's great uncertainty in how you can provide services to those suffering homelessness and how you address public safety concerns arising from increases in homelessness. Existing federal and state laws, and several high profile Vermont and U.S. Supreme Court cases, make addressing these issues nearly impossible – and H. 132, in our opinion, wouldn't change that. In an effort to help you understand what I mean, I've provided the committee with a recent article written by the VLCT Municipal Assistance Center that tries to provide our member municipalities with an overview of the legal landscape related to the issue of homelessness and municipal responses.

I do have two specific concerns about the bill that I hope you will consider addressing:

Section 2, page 3, line 8, prohibits civil or criminal sanctions for soliciting, sharing, accepting, or offering food, drink, money, or other donations in a public place. Public place is a broad term – and using this language will only confuse municipalities. Existing federal law is already murky here, but this term would appear to be overly broad, as it may not allow a municipality to protect either the person doing these activities or other people using a public place (such as a dangerous intersection).

Section 2, page 3, line 17, prohibits a municipality from penalizing an individual "...engaging in harmless activities that are associated with homelessness." Harmless activities is a broad term – and there are certainly times when harmless activities might be inappropriate in certain types of places. For instance, camping on a playground or having an open fire in a public park where fires are prohibited.

Thank you for asking for VLCT's perspective on this legislation. I'd be happy to answer any questions you may have.

Attachments

[Testimony to House General 2024.01.25](#)