



Legislation Details (With Text)

File #: Int 0190-2022 **Version:** A **Name:** Creation and distribution of a statement of rights for persons experiencing homelessness and residing in shelter.

Type: Introduction **Status:** Enacted
In control: Committee on General Welfare

On agenda: 4/14/2022

Enactment date: 5/29/2023 **Enactment #:** 2023/062

Title: A Local Law to amend the administrative code of the city of New York, in relation to the creation and distribution of a statement of rights for persons experiencing homelessness and residing in shelter

Sponsors: Public Advocate Jumaane Williams, Rafael Salamanca, Jr., Tiffany Cabán, Althea V. Stevens, Shahana K. Hanif, Diana I. Ayala, Julie Won, Lincoln Restler, Shekar Krishnan, Crystal Hudson, Nantasha M. Williams, Linda Lee, Pierina Ana Sanchez, Eric Dinowitz, Lynn C. Schulman, Alexa Avilés, Kevin C. Riley, Darlene Mealy, Farah N. Louis, Mercedes Narcisse

Indexes:

Attachments: 1. Summary of Int. No. 190-A, 2. Summary of Int. No. 190, 3. Int. No. 190, 4. April 14, 2022 - Stated Meeting Agenda, 5. Hearing Transcript - Stated Meeting 4-14-22, 6. Minutes of the Stated Meeting - April 14, 2022, 7. Committee Report 9/13/22, 8. Hearing Testimony 9/13/22, 9. Hearing Transcript 9/13/22, 10. Proposed Int. No. 190-A - 4/20/23, 11. Committee Report 4/27/23, 12. Hearing Transcript 4/27/23, 13. April 27, 2023 - Stated Meeting Agenda, 14. Hearing Transcript - Stated Meeting 4-27-23, 15. Minutes of the Stated Meeting - April 27, 2023, 16. Int. No. 190-A (FINAL), 17. Fiscal Impact Statement, 18. Legislative Documents - Letter to the Mayor, 19. Local Law 62

| Date | Ver. | Action By | Action | Result |
|-----------|------|------------------------------|-----------------------------|--------|
| 4/14/2022 | * | City Council | Introduced by Council | |
| 4/14/2022 | * | City Council | Referred to Comm by Council | |
| 9/13/2022 | * | Committee on General Welfare | Hearing Held by Committee | |
| 9/13/2022 | * | Committee on General Welfare | Laid Over by Committee | |
| 4/27/2023 | * | Committee on General Welfare | Hearing Held by Committee | |
| 4/27/2023 | * | Committee on General Welfare | Amendment Proposed by Comm | |
| 4/27/2023 | * | Committee on General Welfare | Amended by Committee | |
| 4/27/2023 | A | Committee on General Welfare | Approved by Committee | Pass |
| 4/27/2023 | A | City Council | Approved by Council | Pass |
| 4/27/2023 | A | City Council | Sent to Mayor by Council | |
| 5/29/2023 | A | Administration | City Charter Rule Adopted | |
| 5/30/2023 | A | City Council | Returned Unsigned by Mayor | |

Int. No. 190-A

By the Public Advocate (Mr. Williams) and Council Members Salamanca, Cabán, Stevens, Hanif, Ayala, Won, Restler, Krishnan, Hudson, Williams, Lee, Sanchez, Dinowitz, Schulman, Avilés, Riley, Mealy, Louis and Narcisse

A Local Law to amend the administrative code of the city of New York, in relation to the creation and

distribution of a statement of rights for persons experiencing homelessness and residing in shelter

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-332 to read as follows:

§ 21-332 Homeless statement of rights. a. Definitions. For purposes of this section, the following terms have the following meanings:

Adult. The term “adult” means any person 18 years of age or older.

Adult family. The term “adult family” means a family as defined by subdivision e of section 491.2 of title 18 of the New York codes, rules and regulations.

Family with children. The term “family with children” means a family as defined by section 900.2 of title 18 of the New York codes, rules and regulations.

Shelter. The term “shelter” means any temporary emergency housing provided to homeless adults, adult families, and families with children by the department or by a provider under contract or similar agreement with the department.

b. The department, in consultation with persons currently or formerly experiencing homelessness, shall create a statement of rights for persons residing in shelter. Such statement, which shall be written in plain and simple language, shall include information regarding the rights of persons experiencing homelessness and residing in shelter, and minimum standards applicable to shelter, including:

1. The right to shelter;

2. The right to request an interpreter and to have certain documents translated into other languages, as set forth in section 23-1102, when interacting with agencies;

3. Educational options for children experiencing homelessness as described in subdivision x of section 100.2 of title 8 of the New York codes, rules and regulations;

4. The right to vote;

5. The right to file a complaint and to be protected from retaliation for filing complaints;

6. The ability to communicate with a housing specialist and the right to apply for a rental assistance voucher;

7. The right to sleep outside;

8. The option to be placed in a shelter consistent with a person's gender identity or expression;

9. The right to receive diapers and feminine hygiene products;

10. The requirement that a shelter comply with the environmental standards set forth in section 491.18 of title 18 of the New York codes, rules and regulations and section 900.18 of such title, as applicable; and

11. Any other information the department deems appropriate.

c. The statement of rights required by subdivision b of this section shall also include the rights and protections enumerated in section 491.12 of title 18 of the New York codes, rules and regulations and section 900.12 of such title, indicating the type of shelter such right is applicable to.

d. Nothing in this section shall be construed to create a private cause of action to enforce the provisions of this section or to confer new rights.

e. No later than 90 days after the effective date of the local law that added this section, such statement of rights shall be made available on the department's website in each of the designated citywide languages as defined in section 23-1101; copies of such statement shall be provided to each agency office as defined in section 21-190, and to each shelter for distribution to persons residing in shelter; and such statement shall be posted in all common areas in shelters. The department shall update such statement, as appropriate.

§ 2. This local law takes effect immediately.

Session 11
NAB
LS #13295/14048