

STOP THE INCREASING CRIMINALIZATION OF HOMELESSNESS IN ILLINOIS

SUPPORT HB 1429

OLICKAL - WELCH - AVELAR - LAPOINTE - CANTY

Jiménez • Mayfield • Ness • Morgan • Guzzardi • Cassidy • B. Hernandez • Mussman • Rashid • Huynh
• Stava-Murray • Faver Dias • Ammons

The US Supreme Court has sanctioned criminalizing homelessness, but fining and arresting people experiencing unsheltered homelessness is unjust and counterproductive. Local governments need to partner in constructive solutions to ensure everyone has a safe, affordable place to call home.



ISSUE

The primary root causes of unsheltered homeless are the shortage of both emergency shelter and affordable rental housing, particularly permanent supportive housing (PSH). Statewide, as calculated for the HOME Illinois plan for 2025-2026, the shortage of emergency shelter beds is **5,379** and the shortage of PSH is **10,972**.

This legislation is a response to the June 2024 US Supreme Court decision in *Grants Pass v. Johnson*, which determined that people experiencing homelessness can be arrested and fined for sleeping outside even when there are no alternatives.

The focus is on preventing the further criminalization of homelessness, without restricting pre-existing municipal powers. Before and since the *Grants Pass* decision, local governments in Illinois have had the power to make people move when they so desire, by using trespassing and other ordinances. This legislation does not change that.

The practical impact of the Supreme Court decision has only encouraged a rapidly increasing number of local governments to enact fines and other criminal penalties that make it harder for people to secure housing.

- ## PROVISIONS
- Protects people who are engaging in “life sustaining activities” such as trying to stay warm, resting and eating.
 - Allows enforcement of ordinances, policies or procedures without fines or criminal penalties against people experiencing unsheltered homelessness to maintain access to public places and/or address serious and imminent risks to public health and safety.
 - Ordinances specifically targeting people experiencing unsheltered homelessness for engaging in life-sustaining activities are prohibited, including for home-rule communities.
 - Does not restrict potential criminal penalties for violations of any other laws or ordinances.
 - Except in an emergency, requires a 7-day notice to persons being required to move.
 - Before enforcement, there must be a good-faith effort to provide temporary shelter, as well as transportation and social services that meet long-term housing needs.
 - Enforcement must comply with the Community Emergency Services and Support Act.

FOR MORE
INFORMATION

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ENDORSORING ORGANIZATIONS

- Access Living, Chicago
- Agape Community Outreach Mission, Kankakee
- AIDS Foundation Chicago
- Alliance to End Homelessness in Suburban Cook County, Hillside
- Anew: Building Beyond Violence and Abuse, Homewood
- American Civil Liberties Union, Illinois
- Association for Individual Development (AID), Aurora
- Brightpoint
- Carbondale Warming Center
- Catholic Charities, Diocese of Joliet
- Center for Housing & Health, Chicago
- Chicago Area Fair Housing Alliance
- Chicago Center for Psychoanalysis
- Chicago Coalition to end Homelessness
- Chicago House and Social Service Agency
- Chicago Therapy Collective
- Children's Home Association of Illinois, Peoria
- Citizen Action/Illinois
- Community Behavioral Healthcare Association (CBHA)
- Connections for the Homeless, Evanston
- Corporation for Supportive Housing
- Cunningham Township, Urbana
- Deborah's Place, Chicago
- Disability Housing Justice, Chicago
- Dove, Inc., Decatur
- Empowerment Opportunity Center, Decatur
- Fortitude Community Outreach, Kankakee
- Heartland Continuum of Care, Springfield
- Helping Hands of Springfield
- Hesus House, Aurora
- Home Sweet Home Ministries, Bloomington/Normal
- HOPE Fair Housing Center, Wheaton
- Housing Action Illinois
- Housing Forward, Maywood
- Housing Opportunities and Maintenance for the Elderly Inc. (H.O.M.E.), Chicago
- Illinois Public Health Institute
- Impact for Equity, Chicago
- Inner Voice, Inc., Chicago
- Joining Forces for Affordable Housing, Evanston
- Journeys | The Road Home, Palatine
- Lake County Crisis Center, Zion
- Lake County Regional Office of Education, Antioch
- Latino Policy Forum
- Legal Action Chicago
- LULA Peoria - NFP
- LYTE Collective, Chicago
- McHenry County Mental Health Board
- Mental Health Autonomy Alliance, Chicago
- Metropolitan Family Services, Chicago
- Municipal Information System, Inc.(MISI), Brighton
- N/NW Suburban Housing Task Force, Wheeling
- NAMI Illinois
- NAMI McHenry County, Crystal Lake
- New Beginnings Recovery Homes Incorporated, Chicago
- Niles Township Government, Skokie
- Northern Illinois Homeless Coalition, Rockford, as well as Boone, DeKalb and Winnebago Counties
- Northwest Center, Chicago
- NWS Outreach Volunteers, Chicago
- Peoria Proud
- Phoenix Community Development Services, Peoria
- Phoenix Foundation, NFP, Chicago
- Pushing Envelopes Chicago
- Red Line Service Institute, Chicago
- Respond Now, Chicago Heights
- Sangamon Valley Sierra Club, Springfield
- South Suburban PADS, Chicago Heights
- Steven's Home, Woodstock
- Students Against Exclusionary Zoning (at UChicago), Chicago
- Supportive Housing Providers Association
- Take Action Today, West Frankfort
- TASC
- The Children's Place Association, Chicago
- The Network-Advocating Against Domestic Violence
- The Night Ministry, Chicago
- Thresholds
- Together We Cope, Tinley Park
- UChicago Democrats Housing Policy Caucus, Chicago
- United Way of Pekin
- Veterans Path to Hope, Crystal Lake, Grayslake, Hebron, Chicago, Rockford
- Will County Continuum of Care, serving Will, Kendall, and Grundy Counties

List Updated February 26, 2025

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