

HB 18-1067



EMPOWERED CITIES AND TOWNS, UNITED FOR A STRONG COLORADO

HOMELESSNESS

COLORADO RIGHT TO REST ACT

HB 18-1067: YOUR “NO” VOTE RESPECTFULLY REQUESTED

What HB 18-1067 does:

The legislation creates rights for individuals that include a right to rest, use public places, occupy one’s vehicle, and a reasonable expectation of privacy on one’s own personal property in a public place. While this year’s bill does not contain an explicit private right of action, it creates rights within state law that could certainly be **used to file suit against a municipality**. Additionally, the rights given in the legislation could be used as a **defense in criminal court**. HB 18-1067 **expressly prohibits local governments from enacting and enforcing ordinances** that conflict with the rights established in the bill.

While we take the issue of homelessness in our communities very seriously, CML is opposed to HB 18-1067.

- **HB 18-1067 will not end the cycle of homelessness.**

Many municipalities work in partnership with businesses and community members on programs to end homelessness. Cities and towns spend millions of dollars on homeless services with the aim housing persons experiencing homelessness. HB 18-1067 does not provide additional resources nor provides funding so local governments can continue to improve and expand services to those citizens in need.

- **HB 18-1067 can still result in lawsuits against municipalities**

While the proposed legislation does not have a private right of action, there is nothing preventing suit against a municipality for perceived violation of the rights listed in HB 18-1067.

- **HB 18-1067 ignores overall community needs**

Municipalities must balance the needs of all citizens in our communities. This includes not only the caring for the most vulnerable citizens, but also ensuring vibrant business environments and public safety for all municipal citizens.

Finding a permanent solution for homelessness in Colorado is a top priority for municipalities. This is an issue best left to resolve at the local level as it has been in a number of cities.

January 30, 2018