



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 459

S.P. 137

In Senate, January 29, 2019

**An Act To Include Homelessness in the Laws Governing Emergency
General Assistance**

Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator CHIPMAN of Cumberland.
Cosponsored by Senators: GRATWICK of Penobscot, MOORE of Washington,
Representatives: CRAVEN of Lewiston, HYMANSON of York, MADIGAN of Waterville,
MEYER of Eliot, PERRY of Calais, TALBOT ROSS of Portland.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §4301, sub-§5-A** is enacted to read:

3 **5-A. Homelessness.** "Homelessness" means a situation in which a person or
4 household has no permanent or safe housing including when a person or household is:

5 A. Living in a place that is not fit for human habitation;

6 B. Living in an emergency shelter;

7 C. Living in temporary housing, including but not limited to a hotel, motel,
8 campground, unlicensed campsite or rehabilitation facility;

9 D. Exiting a hospital or institution licensed under chapter 405 or a correctional
10 facility where the person or household resided for up to 90 days if the person or
11 household was in an emergency shelter or a place not fit for human habitation before
12 entering the hospital, institution or correctional facility;

13 E. Losing the person's or household's primary nighttime residence and lacking the
14 resources or support networks to remain in that residence; or

15 F. Fleeing or attempting to flee violence and has no other residence.

16 **Sec. 2. 22 MRSA §4308, sub-§2,** as amended by PL 1999, c. 45, §1, is further
17 amended to read:

18 **2. Emergencies.** A person, including a person experiencing or facing homelessness,
19 who does not have sufficient resources to provide one or more basic necessities in an
20 emergency is eligible for emergency general assistance, even when that applicant has
21 been found ineligible for nonemergency general assistance, except as provided in this
22 subsection.

23 A. A person who is currently disqualified from general assistance for a violation of
24 section 4315, 4316-A or 4317 is ineligible for emergency assistance under this
25 subsection.

26 B. Municipalities may by standards adopted in municipal ordinances restrict the
27 disbursement of emergency assistance to alleviate emergency situations to the extent
28 that those situations could not have been averted by the applicant's use of income and
29 resources for basic necessities. The person requesting assistance shall provide
30 evidence of income and resources for the applicable time period.

31 A municipality may provide emergency assistance when the municipality determines that
32 an emergency is imminent and that failure to provide assistance may result in undue
33 hardship and unnecessary costs.

34 **SUMMARY**

35 This bill defines "homelessness" for the purposes of the laws governing general
36 assistance and specifies that a person experiencing or facing homelessness who meets the

1 conditions for receiving emergency assistance in current law is eligible for emergency
2 general assistance.