

LC003771

JANUARY SESSION, A.D. 2026

RELATING TO STATE AFFAIRS AND GOVERNMENT -- EMERGENCY SHELTERS

Referred To: House Municipal Government & Housing

(a) The executive office of housing shall establish an application for an emergency shelter license no later than January 1, 2027. Upon receipt of an application for a license, the licensing agency shall issue a license if the applicant meets the requirements established pursuant to this chapter. A license issued under the provisions of this section shall be the property of the state and loaned to the licensee, and it shall be posted in a conspicuous place on the licensed premises. Each license shall be issued only for the premises and persons named in the application, and shall not be

1 transferable or assignable except with the written approval of the secretary. No fee shall be charged
2 for the license.

3 (b) Any emergency shelter established due to a natural disaster, impending dangerous
4 storm, or other event, including, but not limited to, fires, hurricanes or blizzards, shall be exempt
5 from this chapter.

6 **42-167.3-3. Minimum shelter standards.**

7 (a) All emergency shelters that are required to be licensed shall:

8 (1) Provide a safe place for a person to temporarily reside. Safety of residents and staff
9 shall be the shelters' top priority;

10 (2) Make drinking water available to residents and proper bathroom facilities as required
11 by the state building code in chapter 27.3 of title 23;

12 (3) Develop a written policy regarding the privacy and confidentiality of its residents as
13 required by state and federal law; and

14 (4) Establish an office approved procedure for the safe transfer of a person seeking shelter
15 or having been sheltered at the licensed premises, who can no longer reside in the shelter at the
16 licensed premises in question. The established procedure shall be posted in a conspicuous place on
17 the licensed premises that is in an area accessed frequently by residents.

18 (b) The executive office of housing shall promulgate additional minimum shelter standards
19 that shall apply to emergency shelters that are at least partially funded by the state, no later than
20 December 1, 2027.

21 **42-167.3-4. Grievance procedure.**

22 The office shall promulgate a grievance procedure designed to address complaints of
23 persons who have resided or attempted to reside in any emergency shelter within this state.
24 Grievance procedures shall be posted in the licensed premises in a conspicuous place accessed
25 frequently by residents.

26 **42-167.3-5. Fees prohibited.**

27 Any fees or payments of money for the purposes of providing shelter and personal care
28 items including, but not limited to, linens, toiletries and diapers shall be prohibited unless otherwise
29 allowable by state or federal law. Resident funds provided to a shelter for the purposes of teaching
30 financial literacy or creating a "savings account" are permitted if the funds are returned to the
31 resident at the appropriate time or upon request.

1 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO STATE AFFAIRS AND GOVERNMENT -- EMERGENCY SHELTERS

- 1 This act would establish rules and procedures for licensing emergency shelters for
2 homeless persons, including setting minimum standards and prohibiting the charging of fees to the
3 residents.
4 This act would take effect upon passage.

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