

## Part 6 Homeless Coordinating Committee

### 35A-8-601 Creation.

- (1) There is created within the division the Homeless Coordinating Committee.
- (2)
  - (a) The committee shall consist of the following members :
    - (i) the lieutenant governor or the lieutenant governor's designee;
    - (ii) the state planning coordinator or the coordinator's designee;
    - (iii) the state superintendent of public instruction or the superintendent's designee;
    - (iv) the chair of the board of trustees of the Utah Housing Corporation or the chair's designee;
    - (v) the executive director of the Department of Workforce Services or the executive director's designee;
    - (vi) the executive director of the Department of Corrections or the executive director's designee;
    - (vii) the executive director of the Department of Health or the executive director's designee;
    - (viii) the executive director of the Department of Human Services or the executive director's designee;
    - (ix) the mayor of Salt Lake City; and
    - (x) the mayor of Salt Lake County.
  - (b)
    - (i) The lieutenant governor shall serve as the chair of the committee.
    - (ii) The lieutenant governor may appoint a vice chair from among committee members, who shall conduct committee meetings in the absence of the lieutenant governor.
- (3) The governor may appoint as members of the committee:
  - (a) representatives of local governments, local housing authorities, local law enforcement agencies;
  - (b) representatives of federal and private agencies and organizations concerned with the homeless, persons with a mental illness, the elderly, single-parent families, persons with a substance use disorder, and persons with a disability; and
  - (c) a resident of Salt Lake County.
- (4)
  - (a) Except as required by Subsection (4)(b), as terms of current committee members appointed under Subsection (3) expire, the governor shall appoint each new member or reappointed member to a four-year term.
  - (b) Notwithstanding the requirements of Subsection (4)(a), the governor shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of committee members are staggered so that approximately half of the committee is appointed every two years.
  - (c) A member appointed under Subsection (3) may not be appointed to serve more than three consecutive terms.
- (5) When a vacancy occurs in the membership for any reason, the replacement is appointed for the unexpired term.
- (6) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:
  - (a) Section 63A-3-106;
  - (b) Section 63A-3-107; and
  - (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

Amended by Chapter 278, 2016 General Session

**35A-8-602 Purposes of Homeless Coordinating Committee -- Uses of Pamela Atkinson Homeless Account.**

- (1)
  - (a) The Homeless Coordinating Committee shall work to ensure that services provided to the homeless by state agencies, local governments, and private organizations are provided in a cost-effective manner.
  - (b) Programs funded by the committee shall emphasize emergency housing and self-sufficiency, including placement in meaningful employment or occupational training activities and, where needed, special services to meet the unique needs of the homeless who:
    - (i) have families with children;
    - (ii) have a disability or a mental illness; or
    - (iii) suffer from other serious challenges to employment and self-sufficiency.
  - (c) The committee may also fund treatment programs to ameliorate the effects of substance abuse or a disability.
  - (d) Before October 1, 2016, the committee shall conduct a needs assessment or contract with another state agency or private entity to conduct a needs assessment that:
    - (i) identifies desired statewide outcomes related to minimizing homelessness;
    - (ii) reviews technology used for data gathering by state, county and local governments and private organizations for reporting information about, and providing service to, homeless individuals in the state, including an evaluation of:
      - (A) the functionality of existing databases;
      - (B) the ability to expand and tailor existing databases to better serve the needs of homeless individuals; and
      - (C) the ability of the technology to ensure proper privacy restrictions and sharing between reporting entities, including those addressing domestic violence, as allowed by federal privacy regulations;
    - (iii) identifies gaps between the data described in Subsection (1)(d)(i) and the data needed to implement best practices in minimizing homelessness and achieve the outcomes identified in accordance with this Subsection (1)(d);
    - (iv) evaluates the technical capacity of existing databases and information technology systems used to gather and report data related to homelessness and identifies improvements needed to better serve the homeless population and meet the needs of all stakeholders;
    - (v) identifies opportunities to align data gathering and reporting related to homelessness with state efforts to reduce intergenerational poverty, incarceration, and recidivism rates; and
    - (vi) makes recommendations regarding the needed improvements related to this Subsection (1)(d) and outlines steps for implementing the recommendations.
  - (e) Before October 1, 2016, the committee shall report to the department the findings and recommendations of the needs assessment described in Subsection (1)(d) for inclusion in the annual written report described in Section 35A-1-109.
- (2) The committee members designated in Subsection 35A-8-601(2) shall:
  - (a) award contracts funded by the Pamela Atkinson Homeless Account with the advice and input of those designated in Subsection 35A-8-601(3);
  - (b) consider need, diversity of geographic location, coordination with or enhancement of existing services, and the extensive use of volunteers in awarding contracts described in Subsection (2)(a); and

- (c) give priority for funding to programs that serve the homeless who have a mental illness and who are in families with children.
- (3)
- (a) In any fiscal year, no more than 80% of the funds in the Pamela Atkinson Homeless Account may be allocated to organizations that provide services only in Salt Lake, Davis, Weber, and Utah Counties.
  - (b) The committee may:
    - (i) expend up to 3% of its annual appropriation for administrative costs associated with the allocation of funds from the Pamela Atkinson Homeless Account, and up to 2% of its annual appropriation for marketing the account and soliciting donations to the account; and
    - (ii) pay for the initial costs of the State Tax Commission in implementing Section 59-10-1306 from the account.
  - (4) If there are decreases in contributions to the account, the committee may expend money held in the account to provide program stability, but the committee shall reimburse the amount of those expenditures to the account.
  - (5) The committee shall make an annual report to the department regarding the programs and services funded by contributions to the Pamela Atkinson Homeless Account for inclusion in the annual written report described in Section 35A-1-109.
  - (6) The state treasurer shall invest the money in the Pamela Atkinson Homeless Account according to the procedures and requirements of Title 51, Chapter 7, State Money Management Act, except that interest and other earnings derived from the restricted account shall be deposited in the restricted account.

Amended by Chapter 157, 2016 General Session

**35A-8-603 Creation of Pamela Atkinson Homeless Account.**

- (1) There is created a restricted account within the General Fund known as the "Pamela Atkinson Homeless Account."
- (2) Private contributions received under this section and Section 59-10-1306 shall be deposited into the restricted account to be used only for programs described in Section 35A-8-602.
- (3) Money shall be appropriated from the restricted account to the State Homeless Coordinating Committee in accordance with Title 63J, Chapter 1, Budgetary Procedures Act.
- (4) The State Homeless Coordinating Committee may accept transfers, grants, gifts, bequests, or money made available from any source to implement this part.

Renumbered and Amended by Chapter 212, 2012 General Session

**35A-8-604 Uses of Homeless to Housing Reform Restricted Account.**

- (1) With the concurrence of the division and in accordance with this section, the Homeless Coordinating Committee members designated in Subsection 35A-8-601(2) may award ongoing or one-time grants or contracts funded from the Homeless to Housing Reform Restricted Account created in Section 35A-8-605.
- (2) Before final approval of a grant or contract awarded under this section, the Homeless Coordinating Committee and the division shall provide information regarding the grant or contract to, and shall consider the recommendations of, the Legislative Management Committee and the Executive Appropriations Committee.
- (3) As a condition of receiving money, including any ongoing money, from the Homeless to Housing Reform Restricted Account, an entity awarded a grant or contract under this section

- shall provide detailed and accurate reporting on at least an annual basis to the division and the Homeless Coordinating Committee that describes:
- (a) how money provided from the Homeless to Housing Reform Restricted Account has been spent by the entity; and
  - (b) the progress towards measurable outcome-based benchmarks agreed to between the entity and the Homeless Coordinating Committee before the awarding of the grant or contract.
- (4) In determining the awarding of a grant or contract under this section, the Homeless Coordinating Committee, with the concurrence of the division, shall:
- (a) ensure that the services to be provided through the grant or contract will be provided in a cost-effective manner;
  - (b) consider the advice of committee members designated in Subsection 35A-8-601(3);
  - (c) give priority to a project or contract that will include significant additional or matching funds from a private organization or local government entity;
  - (d) ensure that the project or contract will target the distinct housing needs of one or more at-risk or homeless subpopulations, which may include:
    - (i) families with children;
    - (ii) transitional-aged youth;
    - (iii) single men or single women;
    - (iv) veterans;
    - (v) victims of domestic violence;
    - (vi) individuals with behavioral health disorders, including mental health or substance use disorders;
    - (vii) individuals who are medically frail or terminally ill;
    - (viii) individuals exiting prison or jail; or
    - (ix) individuals who are homeless without shelter; and
  - (e) consider whether the project will address one or more of the following goals:
    - (i) diverting homeless or imminently homeless individuals and families from emergency shelters by providing better housing-based solutions;
    - (ii) meeting the basic needs of homeless individuals and families in crisis;
    - (iii) providing homeless individuals and families with needed stabilization services;
    - (iv) decreasing the state's homeless rate;
    - (v) implementing a coordinated entry system with consistent assessment tools to provide appropriate and timely access to services for homeless individuals and families;
    - (vi) providing access to caseworkers or other individualized support for homeless individuals and families;
    - (vii) encouraging employment and increased financial stability for individuals and families being diverted from or exiting homelessness;
    - (viii) creating additional affordable housing for state residents;
    - (ix) providing services and support to prevent homelessness among at-risk individuals and adults;
    - (x) providing services and support to prevent homelessness among at-risk children, adolescents, and young adults; and
    - (xi) preventing the reoccurrence of homelessness among individuals and families exiting homelessness.
- (5) In addition to the other provisions of this section, in determining the awarding of a grant or contract under this section to design, build, create, or renovate a facility that will provide shelter or other resources for the homeless, the Homeless Coordinating Committee, with the concurrence of the division:

- (a) may consider whether the facility will be:
    - (i) located near mass transit services;
    - (ii) located in an area that meets or will meet all zoning regulations before a final dispersal of funds;
    - (iii) safe and welcoming both for individuals using the facility and for members of the surrounding community; and
    - (iv) located in an area with access to employment, job training, and positive activities; and
  - (b) may not award a grant or contract under this Subsection (5), unless the grant or contract is endorsed by the county and, if applicable, the municipality where the facility will be located.
- (6)
- (a) As used in this Subsection (6), "homeless shelter" means a facility that:
    - (i) is located within a municipality;
    - (ii) provides temporary shelter to homeless individuals;
    - (iii) has capacity to provide temporary shelter to at least 200 individuals per night;
    - (iv) began operation on or before January 1, 2016;
    - (v) did not operate more than nine-months per year before January 1, 2016; and
    - (vi) currently operates year-round.
  - (b) In addition to the other provisions of this section, the Homeless Coordinating Committee, with the concurrence of the division, may award a grant or contract:
    - (i) to a municipality to improve sidewalks, pathways, or roadways near a homeless shelter to provide greater safety to homeless individuals; and
    - (ii) to a municipality to hire a peace officer to provide greater safety to homeless individuals.
- (7) The division may expend money from the Homeless to Housing Reform Restricted Account to offset actual division and Homeless Coordinating Committee expenses related to administering this section.

Enacted by Chapter 278, 2016 General Session

**35A-8-605 Homeless to Housing Reform Restricted Account.**

- (1) There is created a restricted account within the General Fund known as the Homeless to Housing Reform Restricted Account.
- (2) The restricted account shall be administered by the division for the purposes described in Section 35A-8-604.
- (3) The state treasurer shall invest the money in the restricted account according to the procedures and requirements of Title 51, Chapter 7, State Money Management Act, except that interest and other earnings derived from the restricted account shall be deposited in the restricted account.
- (4) The restricted account shall be funded by:
  - (a) appropriations made to the account by the Legislature; and
  - (b) private donations, grants, gifts, bequests, or money made available from any other source to implement this section and Section 35A-8-604.
- (5) Subject to appropriation, the director shall use account money as described in Section 35A-8-604.
- (6) The Homeless Coordinating Committee, in cooperation with the division, shall submit an annual written report to the department that gives a complete accounting of the use of money from the account for inclusion in the annual report described in Section 35A-1-109.

Enacted by Chapter 278, 2016 General Session

