

HOUSING AND HOMELESS REFORM INITIATIVE

2016 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Francis D. Gibson

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies provisions related to housing and community development.

Highlighted Provisions:

This bill:

- ▶ creates a restricted account called the Homeless to Housing Reform Account;
- ▶ describes the responsibilities of the Homeless Coordinating Committee and the Housing and Community Development Division in awarding grants or contracts using money from the account;
- ▶ adds members to the Homeless Coordinating Committee; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

This bill appropriates:

▶ to the General Fund Restricted -- Homeless to Housing Reform Restricted Account, as a one-time appropriation:

- from the General Fund, \$7,000,000;

▶ to the General Fund Restricted -- Homeless to Housing Reform Restricted Account, as an ongoing appropriation:

- from the General Fund, \$3,000,000;

▶ to the Department of Workforce Services -- Housing and Community Development, as a one-time appropriation:



28 • from the General Fund Restricted -- Homeless to Housing Reform Restricted
29 Account, \$7,000,000; and

30 ▶ to the Department of Workforce Services -- Housing and Community Development,
31 as an ongoing appropriation:

32 • from the General Fund Restricted -- Homeless to Housing Reform Restricted
33 Account, \$3,000,000.

34 **Other Special Clauses:**

35 None

36 **Utah Code Sections Affected:**

37 AMENDS:

38 **35A-8-601**, as renumbered and amended by Laws of Utah 2012, Chapter 212

39 ENACTS:

40 **35A-8-604**, Utah Code Annotated 1953

41 **35A-8-605**, Utah Code Annotated 1953



43 *Be it enacted by the Legislature of the state of Utah:*

44 Section 1. Section **35A-8-601** is amended to read:

45 **35A-8-601. Creation.**

46 (1) There is created within the division the Homeless Coordinating Committee.

47 (2) (a) The committee shall consist of the following members:

48 (i) the lieutenant governor or the lieutenant governor's designee;

49 (ii) the state planning coordinator or the coordinator's designee;

50 (iii) the state superintendent of public instruction or the superintendent's designee;

51 (iv) the chair of the board of trustees of the Utah Housing Corporation or the chair's

52 designee; ~~and~~

53 (v) the executive ~~[directors]~~ director of the ~~[Department of Human Services, the~~
54 ~~Department of Corrections, the]~~ Department of Workforce Services~~[-and the Department of~~
55 ~~Health, or their designees.]~~ or the executive director's designee;

56 (vi) the executive director of the Department of Corrections or the executive director's
57 designee;

58 (vii) the executive director of the Department of Health or the executive director's

59 designee;

60 (viii) the executive director of the Department of Human Services or the executive
61 director's designee;

62 (ix) the mayor of Salt Lake City; and

63 (x) the mayor of Salt Lake County.

64 (b) (i) The lieutenant governor shall serve as the chair of the committee.

65 (ii) The lieutenant governor may appoint a vice chair from among committee members,
66 who shall conduct committee meetings in the absence of the lieutenant governor.

67 (3) The governor may appoint as members of the committee representatives of local
68 governments, local housing authorities, local law enforcement agencies, and of federal and
69 private agencies and organizations concerned with the homeless, persons with a mental illness,
70 the elderly, single-parent families, substance abusers, and persons with a disability.

71 (4) (a) Except as required by Subsection (4)(b), as terms of current committee members
72 appointed under Subsection (3) expire, the governor shall appoint each new member or
73 reappointed member to a four-year term.

74 (b) Notwithstanding the requirements of Subsection (4)(a), the governor shall, at the
75 time of appointment or reappointment, adjust the length of terms to ensure that the terms of
76 committee members are staggered so that approximately half of the committee is appointed
77 every two years.

78 (c) A [~~person~~] member appointed under [~~this Subsection (4)~~] Subsection (3) may not
79 be appointed to serve more than three consecutive terms.

80 (5) When a vacancy occurs in the membership for any reason, the replacement is
81 appointed for the unexpired term.

82 (6) A member may not receive compensation or benefits for the member's service, but
83 may receive per diem and travel expenses in accordance with:

84 (a) Section 63A-3-106;

85 (b) Section 63A-3-107; and

86 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
87 63A-3-107.

88 Section 2. Section 35A-8-604 is enacted to read:

89 **35A-8-604. Uses of Housing and Homeless Reform Account.**

90 (1) With the concurrence of the division and in accordance with this section, the
91 Homeless Coordinating Committee members designated in Subsection 35A-8-601(2) may
92 award ongoing or one-time grants or contracts funded from the Homeless to Housing Reform
93 Account created in Section 35A-8-605.

94 (2) Before final approval of a grant or contract awarded under this section, the
95 Homeless Coordinating Committee and the division shall provide information regarding the
96 grant or contract to, and shall consider the recommendations of, the Legislative Management
97 Committee and the Executive Appropriations Committee.

98 (3) As a condition of receiving money, including any ongoing money, from the
99 Homeless to Housing Reform Account, an entity awarded a grant or contract under this section
100 shall provide detailed and accurate reporting on at least an annual basis to the division and the
101 Homeless Coordinating Committee that describes:

102 (a) how money provided from the Homeless to Housing Reform Account has been
103 spent by the entity; and

104 (b) the progress towards measurable outcome-based benchmarks agreed to between the
105 entity and the Homeless Coordinating Committee before the awarding of the grant or contract.

106 (4) In determining the awarding of a grant or contract under this section, the Homeless
107 Coordinating Committee, with the concurrence of the division, shall:

108 (a) ensure that the services to be provided through the grant or contract will be
109 provided in a cost-effective manner;

110 (b) consider the advice of committee members designated in Subsection [35A-8-601\(3\)](#);

111 (c) give priority to a project or contract that will include significant additional or
112 matching funds from a private organization or local government entity;

113 (d) ensure that the project or contract will target the distinct housing needs of one or
114 more at-risk or homeless subpopulations, which may include:

115 (i) families with children;

116 (ii) transitional-aged youth;

117 (iii) single men or single women;

118 (iv) veterans;

119 (v) victims of domestic violence;

120 (vi) individuals with behavioral health disorders, including mental health or substance

121 use disorders;
122 (vii) individuals who are medically frail or terminally ill;
123 (viii) individuals exiting prison or jail; or
124 (ix) individuals who are homeless without shelter; and
125 (e) consider whether the project will address one or more of the following goals:
126 (i) diverting homeless or imminently homeless individuals and families from
127 emergency shelters by providing better housing-based solutions;
128 (ii) meeting the basic needs of homeless individuals and families in crisis;
129 (iii) providing homeless individuals and families with needed stabilization services;
130 (iv) decreasing the state's homeless rate;
131 (v) implementing a coordinated entry system with consistent assessment tools to
132 provide appropriate and timely access to services for homeless individuals and families;
133 (vi) providing access to caseworkers or other individualized support for homeless
134 individuals and families;
135 (vii) encouraging employment and increased financial stability for individuals and
136 families being diverted from or exiting homelessness;
137 (viii) creating additional affordable housing for state residents;
138 (ix) providing services and support to prevent homelessness among at-risk individuals
139 and adults;
140 (x) providing services and support to prevent homelessness among at-risk children,
141 adolescents, and young adults; and
142 (xi) preventing the reoccurrence of homelessness among individuals and families
143 exiting homelessness.
144 (5) In addition to the other provisions of this section, in determining the awarding of a
145 grant or contract under this section to design, build, create, or renovate a facility that will
146 provide shelter or other resources for the homeless, the Homeless Coordinating Committee,
147 with the concurrence of the division:
148 (a) may consider whether the facility will be:
149 (i) located near mass transit services;
150 (ii) located in an area that meets or will meet all zoning regulations before a final
151 dispersal of funds;

152 (iii) safe and welcoming both for individuals using the facility and for members of the
153 surrounding community; and

154 (iv) located in an area with access to employment, job training, and positive activities;
155 and

156 (b) may not award a grant or contract under this Subsection (5), unless the grant or
157 contract is endorsed by the county and, if applicable, the municipality where the facility will be
158 located.

159 (6) The division may expend money from the Homeless to Housing Reform Account to
160 offset actual division and Homeless Coordinating Committee expenses related to administering
161 this section.

162 Section 3. Section **35A-8-605** is enacted to read:

163 **35A-8-605. Homeless to Housing Reform Account.**

164 (1) There is created a restricted account within the General Fund known as the
165 Homeless to Housing Reform Account.

166 (2) The restricted account shall be administered by the division for the purposes
167 described in Section [35A-8-604](#).

168 (3) The state treasurer shall invest the money in the restricted account according to the
169 procedures and requirements of Title 51, Chapter 7, State Money Management Act, except that
170 interest and other earnings derived from the restricted account shall be deposited in the
171 restricted account.

172 (4) The restricted account shall be funded by:

173 (a) appropriations made to the account by the Legislature; and

174 (b) private donations, grants, gifts, bequests, or money made available from any other
175 source to implement this section and Section [35A-8-604](#).

176 (5) Subject to appropriation, the director shall use account money as described in
177 Section [35A-8-604](#).

178 (6) The Homeless Coordinating Committee, in cooperation with the division, shall
179 submit an annual written report to the department that gives a complete accounting of the use
180 of money from the account for inclusion in the annual report described in Section [35A-1-109](#).

181 Section 4. **Appropriation.**

182 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, for

183 the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following sums of money
184 are appropriated from resources not otherwise appropriated, or reduced from amounts
185 previously appropriated, out of the funds or accounts indicated. These sums of money are in
186 addition to amounts previously appropriated for fiscal year 2017.

187 To Fund and Account Transfers -- General Fund Restricted --
188 Homeless to Housing Reform Restricted Account

189 From General Fund, one-time \$7,000,000

190 From General Fund \$3,000,000

191 Schedule of Programs:

192 General Fund Restricted -- Homeless to Housing

193 Reform Restricted Account \$10,000,000

194 To Department of Workforce Services -- Housing and

195 Community Development

196 From General Fund Restricted -- Homeless to Housing

197 Reform Restricted Account, one-time \$7,000,000

198 From General Fund Restricted -- Homeless to Housing Reform

199 Restricted Account \$3,000,000

200 Schedule of Programs:

201 Homeless to Housing Reform Program \$10,000,000

202 The Legislature intends that:

203 (1) under Section [63J-1-603](#) appropriations provided under this section not lapse at the
204 close of fiscal year 2017;

205 (2) the one-time appropriation under this section be used by the Housing and
206 Community Development Division and the Homeless Coordinating Committee to award grants
207 or contracts related to designing, building, creating, or renovating a facility in accordance with
208 Subsection [35A-8-604\(5\)](#); and

209 (3) the ongoing appropriation under this section be used by the Housing and
210 Community Development Division and the Homeless Coordinating Committee to award grants
211 or contracts in accordance with Section [35A-8-604](#).

Legislative Review Note
Office of Legislative Research and General Counsel