

Senator Curtis S. Bramble proposes the following substitute bill:

HOMELESS AND TRANSITIONAL HOUSING PROGRAM

AMENDMENTS

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kim F. Coleman

Senate Sponsor: Curtis S. Bramble

LONG TITLE

General Description:

This bill modifies provisions related to the Housing and Community Development Division and the Governor's Office of Management and Budget.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ describes duties of the director of the Housing and Community Development Division, including the oversight of a Homeless Management Information System;
- ▶ creates the position and describes the duties of a chief data officer within the Governor's Office of Management and Budget; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:



26 35A-8-101, as renumbered and amended by Laws of Utah 2012, Chapter 212

27 63J-4-202, as last amended by Laws of Utah 2013, Chapters 12 and 310

28 63J-4-301, as last amended by Laws of Utah 2018, Chapters 423 and 469

29 ENACTS:

30 35A-8-203, Utah Code Annotated 1953

31 63J-4-801, Utah Code Annotated 1953



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

34 Section 1. Section 35A-8-101 is amended to read:

35 **35A-8-101. Definitions.**

36 As used in this chapter:

37 (1) "Accessible housing" means housing which has been constructed or modified to be
38 accessible, as described in the State Construction Code or an approved code under Title 15A,
39 State Construction and Fire Codes Act.

40 (2) "Director" means the director of the division.

41 (3) "Division" means the Housing and Community Development Division.

42 (4) "Homeless Management Information System" or "HMIS" means an information
43 technology system that:

44 (a) is used to collect client-level data and data on the provision of housing and services
45 to homeless individuals and families and individuals at risk of homelessness in the state; and

46 (b) meets the requirements of the United States Department of Housing and Urban
47 Development.

48 Section 2. Section 35A-8-203 is enacted to read:

49 **35A-8-203. Duties of director.**

50 (1) The director shall:

51 (a) coordinate, with the concurrence of the Homeless Coordinating Committee, the
52 provision of homeless services in the state; and

53 (b) oversee, with the concurrence of Continuum of Care organizations approved by the
54 United States Department of Housing and Urban Development, a Homeless Management
55 Information System for the state that:

56 (i) shares client-level data between state agencies, local governments, and private

57 organizations that provide services to homeless individuals and families and individuals at risk
58 of homelessness in the state;

59 (ii) is effective as a case management system;

60 (iii) except for individuals receiving services who are victims of domestic violence,
61 includes an effective authorization protocol for encouraging individuals who are provided with
62 any homeless services in the state to provide accurate information to providers for inclusion in
63 the HMIS as a condition of receiving homeless services; and

64 (iv) meets the requirements of the United States Department of Housing and Urban
65 Development and other federal requirements.

66 (2) In overseeing the provision of homeless services in the state, the director:

67 (a) shall encourage the coordination of the provision of services to homeless
68 individuals among state agencies, local governments, and private organizations;

69 (b) except for a program or provider providing services to victims of domestic
70 violence, may not approve funding to a program or provider that does not enter into a written
71 agreement with the division to collect and share HMIS data regarding the provision of services
72 to homeless individuals; and

73 (c) may deny funding to a program or provider that fails to demonstrate the effective
74 collection and sharing of HMIS data regarding the provision of services to homeless
75 individuals.

76 Section 3. Section **63J-4-202** is amended to read:

77 **63J-4-202. Appointment of executive director, state planning coordinator, and**
78 **inspector general of Medicaid Services.**

79 (1) (a) The governor shall appoint, to serve at the governor's pleasure:

80 (i) an executive director of the Governor's Office of Management and Budget; [~~and~~]

81 (ii) a state planning coordinator[-]; and

82 (iii) a chief data officer.

83 (b) The state planning coordinator is considered part of the office for purposes of
84 administration.

85 (2) The governor shall establish the executive director's salary within the salary range
86 fixed by the Legislature in Title 67, Chapter 22, State Officer Compensation.

87 Section 4. Section **63J-4-301** is amended to read:

88 **63J-4-301. Duties of the executive director and office.**

89 (1) The executive director and the office shall:

90 (a) comply with the procedures and requirements of Title 63J, Chapter 1, Budgetary
91 Procedures Act;

92 (b) under the direct supervision of the governor, assist the governor in the preparation
93 of the governor's budget recommendations;

94 (c) review agency budget execution plans as specified in Section 63J-1-209;

95 (d) establish benchmarking practices for measuring operational costs, quality of
96 service, and effectiveness across all state agencies and programs;

97 (e) assist agencies with the development of an operational plan that uses continuous
98 improvement tools and operational metrics to increase statewide capacity and improve
99 interagency integration;

100 (f) review and assess agency budget requests and expenditures using a clear set of goals
101 and measures;

102 (g) develop and maintain enterprise portfolio and electronic information systems to
103 select and oversee the execution of projects, ensure a return on investment, and trace and report
104 performance metrics;

105 (h) coordinate efforts to facilitate the sharing of data between state agencies, local
106 government entities, and other organizations receiving state funding in a manner that improves
107 outcomes and objectives;

108 [~~(h)~~] (i) coordinate with the executive directors of the Department of Workforce
109 Services and the Governor's Office of Economic Development to review data and metrics to be
110 reported to the Legislature as described in Subsection 63J-4-708(2)(d); and

111 [~~(i)~~] (j) perform other duties and responsibilities as assigned by the governor.

112 (2) (a) The executive director of the Governor's Office of Management and Budget or
113 the executive director's designee is the Federal Assistance Management Officer.

114 (b) In acting as the Federal Assistance Management Officer, the executive director or
115 designee shall:

116 (i) study the administration and effect of federal assistance programs in the state and
117 advise the governor and the Legislature, through the Office of Legislative Fiscal Analyst and
118 the Executive Appropriations Committee, of alternative recommended methods and procedures

119 for the administration of these programs;

120 (ii) assist in the coordination of federal assistance programs that involve or are
121 administered by more than one state agency; and

122 (iii) analyze and advise on applications for new federal assistance programs submitted
123 to the governor for approval as required by Chapter 5, Federal Funds Procedures Act.

124 Section 5. Section **63J-4-801** is enacted to read:

125 **Part 8. State Data Coordination**

126 **63J-4-801. Duties of the chief data officer.**

127 The chief data officer shall:

128 (1) advise and support the executive director and the office in fulfilling the
129 responsibilities described in Subsections [63J-4-301\(1\)\(d\), \(e\), \(g\), and \(h\)](#); and

130 (2) perform other duties as assigned by the executive director.