

Tyler Clancy proposes the following substitute bill:

**Homeless Services Amendments**

2025 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Tyler Clancy**

Senate Sponsor: Daniel McCay

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**LONG TITLE**

**General Description:**

This bill amends and enacts provisions related to homelessness.

**Highlighted Provisions:**

This bill:

- defines terms;
- creates the Shelter Counties Advisory Board to make recommendations to the Utah Homeless Board (board) regarding homeless services;
- provides for use of the Know-by-Name pilot program;
- requires the board to collect and report on certain data;
- provides that funds from the Homeless to Housing Reform Restricted Account may be used for certain transportation costs to connect the individual with a support network outside of the state;
- modifies the process by which the board approves funding requests from the Homeless Shelter Cities Mitigation Restricted Account;
- amends certain provisions of the winter response task force;
- enacts provisions requiring service providers to design certain services to assist homeless individuals in progressing and transitioning from struggling with homelessness to personal thriving;
- enacts provisions requiring certain safety requirements for homeless shelters, including winter response shelters;
- provides for penalties if a service provider that receives state or federal funds refuses to comply with certain safety requirements;
- provides certain exceptions under the COVID-19 grant program for licensed residential vocational and life skills programs;
- provides a sunset date for the Know-by-Name pilot program; and

29       ▸ makes technical and conforming changes.

30 **Money Appropriated in this Bill:**

31       None

32 **Other Special Clauses:**

33       None

34 **Utah Code Sections Affected:**

35 AMENDS:

36       **26B-5-382**, as enacted by Laws of Utah 2024, Chapter 204

37       **35A-16-102**, as last amended by Laws of Utah 2024, Chapter 338

38       **35A-16-202**, as last amended by Laws of Utah 2024, Chapters 338, 349

39       **35A-16-203**, as last amended by Laws of Utah 2024, Chapters 204, 338 and 349

40       **35A-16-204**, as repealed and reenacted by Laws of Utah 2024, Chapter 338

41       **35A-16-205**, as last amended by Laws of Utah 2024, Chapters 204, 338 and 349

42       **35A-16-205.1**, as enacted by Laws of Utah 2024, Chapter 204

43       **35A-16-207**, as last amended by Laws of Utah 2024, Chapter 349

44       **35A-16-208**, as enacted by Laws of Utah 2024, Chapter 338

45       **35A-16-302**, as last amended by Laws of Utah 2024, Chapters 204, 338

46       **35A-16-403**, as last amended by Laws of Utah 2024, Chapters 204, 338

47       **35A-16-501**, as last amended by Laws of Utah 2024, Chapter 438

48       **35A-16-501.5**, as last amended by Laws of Utah 2024, Chapter 338

49       **35A-16-602**, as last amended by Laws of Utah 2024, Chapter 338

50       **63I-2-235**, as last amended by Laws of Utah 2024, Third Special Session, Chapter 5

51 ENACTS:

52       **35A-16-210.1**, Utah Code Annotated 1953

53       **35A-16-801**, Utah Code Annotated 1953

54       **35A-16-901**, Utah Code Annotated 1953



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

57       Section 1. Section **26B-5-382** is amended to read:

58       **26B-5-382 . HOME Court Pilot Program -- Requirements -- Funding --**

59 **Reporting.**

60 (1) As used in this section, "pilot program" means the HOME Court Pilot Program  
61 established in Subsection (2).

62 (2) Subject to appropriations from the Legislature and the assignment of a judge to preside

63 over the proceedings, the Third Judicial District Court of Salt Lake County shall  
64 establish and administer a HOME Court Pilot Program beginning October 1, 2024, and  
65 ending June 30, 2029, that provides for comprehensive and individualized,  
66 court-supervised treatment and services to individuals with mental illness.

67 (3) The pilot program shall:

68 (a) allow a person to petition the court for an order requiring an individual's participation  
69 in the pilot program;

70 (b) require the court to substitute the local mental health authority as the petitioner if the  
71 initial petitioner is not the local mental health authority;

72 (c) provide an opportunity for the parties to enter into an agreement regarding an  
73 individual's participation in the pilot program, including a treatment plan, prior to a  
74 court order under Subsection (3)(e);

75 (d) provide for a hearing at which information is presented to determine whether an  
76 individual qualifies for court-ordered participation in the pilot program as provided in  
77 Subsection (3)(e);

78 (e) require the court to order an individual to participate in the pilot program if, upon  
79 completion of the hearing described in Subsection (3)(d), the court finds by clear and  
80 convincing evidence that:

81 (i) the individual resides or may be presently found within Salt Lake County;

82 (ii) the individual has a mental illness;

83 (iii) because of the individual's mental illness, the individual:

84 (A) is unlikely to survive or remain safe without supervision, assistance, or  
85 services; or

86 (B) meets the criteria described in Subsection 26B-5-351(14)(c)(i) or (ii);

87 (iv) there is no appropriate less-restrictive alternative to a court order for participation  
88 in the pilot program;

89 (v) the individual is likely to benefit from participation in the pilot program; and

90 (vi) there is adequate capacity within the pilot program to meet the individual's need  
91 for services described in Subsection (3)(f);

92 (f) upon the court's order for an individual to participate in the pilot program, require the  
93 local mental health authority to prepare a comprehensive and individualized  
94 treatment plan, for approval by the court, that includes the following components for  
95 the individual to successfully achieve the purposes of the pilot program:

96 (i) mental health services;

- 97 (ii) housing resources;
- 98 (iii) social services;
- 99 (iv) case management;
- 100 (v) peer support;
- 101 (vi) exit or transition services; and
- 102 (vii) individualized goals for the successful completion of the pilot program;
- 103 (g) upon the court's approval of a treatment plan prepared by the local mental health
- 104 authority:
- 105 (i) require the local mental health authority to coordinate services required for
- 106 participation in the pilot program; and
- 107 (ii) require the court to conduct regular review hearings as deemed necessary to
- 108 evaluate the individual's progress in completing the treatment plan; and
- 109 (h) operate in a manner that is consistent with the procedures for ordering assisted
- 110 outpatient treatment under Section 26B-5-351.
- 111 (4)(a)(i) If a individual participating in the pilot program has an outstanding warrant
- 112 or pending criminal matter in another Utah court, the Third Judicial District Court
- 113 of Salt Lake County may notify the other court in which the individual has an
- 114 outstanding warrant or pending criminal matter regarding the individual's
- 115 participation in the pilot program.
- 116 (ii) Upon receiving notice of an individual's participation in the pilot program under
- 117 Subsection (4)(a)(i), the other court may, if deemed appropriate, recall the warrant
- 118 or stay the case in which the individual is involved unless the warrant or case
- 119 involves a felony charge.
- 120 (iii) In determining whether to recall a warrant or stay a case under Subsection
- 121 (4)(a)(ii), the other court shall consider the likelihood of the individual's
- 122 successful completion of the pilot program, the severity of the pending charges,
- 123 the impact on victims' rights, and the impact on the government's ability and right
- 124 to prosecute the case.
- 125 (b)(i) If an individual described in Subsection (4)(a)(i) successfully completes the
- 126 pilot program, the Third Judicial District Court of Salt Lake County may notify
- 127 the other court in which the individual has an outstanding warrant or pending
- 128 criminal matter regarding the individual's successful completion of the pilot
- 129 program.
- 130 (ii) Upon receiving notice of an individual's successful completion of the pilot

131 program under Subsection (4)(b)(i), the other court shall consider the effect of the  
132 individual's completion of the pilot program on the case pending before that court,  
133 including the dismissal of criminal charges if deemed appropriate.

134 (5)(a) Costs of all services provided under the pilot program, including the costs  
135 incurred by the multidisciplinary team described in Subsection (5)(b)(ii)(B), shall be  
136 paid by Salt Lake County.

137 (b) If the Legislature appropriates money to the division for implementation of the pilot  
138 program, the division shall:

- 139 (i) require the local mental health authority, as part of the plan required under  
140 Subsection 17-43-301(6)(a)(ii), to submit to the division a proposal for  
141 implementation of the pilot program on or before May 15 of each year;  
142 (ii) review the proposal described in Subsection (5)(b)(i) to ensure that the proposal:  
143 (A) meets the requirements of this section; and  
144 (B) establishes a multidisciplinary team, with a sufficient number of stakeholders,  
145 to adequately address the provision of treatment and services under the pilot  
146 program;  
147 (iii) upon approval of the proposal described in Subsection (5)(b)(i), contract funds  
148 appropriated for the pilot program with the local mental health authority; and  
149 (iv) conduct an annual audit and review of the local mental health authority, and any  
150 contracted provider, regarding the use of funds appropriated for the pilot program.

151 (c) The matching requirement in Subsection 17-41-301(6)(a)(x) does not apply to funds  
152 appropriated by the Legislature for the pilot program.

153 (d) Subject to appropriation by the Legislature, Salt Lake County may:

- 154 (i) apply to the division to receive funds to cover the county's costs under the pilot  
155 program; and  
156 (ii) pay county contributions to the nonfederal share of Medicaid expenditures with  
157 funds appropriated for the pilot program.

158 (6) The department shall:

- 159 (a) establish and evaluate metrics for the success of the pilot program with input from  
160 the local mental health authority, the [~~Utah Homelessness Council~~] Utah Homeless  
161 Services Board created in Section 35A-16-204, and the Judicial Council; and  
162 (b) in collaboration with the local mental health authority, submit to the Health and  
163 Human Services Interim Committee a report on or before June 30 of each year,  
164 beginning in calendar year 2025, regarding the outcomes of the pilot program.

165 Section 2. Section **35A-16-102** is amended to read:

166 **35A-16-102 . Definitions.**

167 As used in this chapter:

- 168 (1) "Board" means the Utah Homeless Services Board created in Section 35A-16-204.
- 169 (2) "Client" means an individual who is experiencing homelessness or an individual at risk  
170 of becoming homeless.
- 171 (3) "Chief executive officer" means the same as that term is defined in Section 11-51-102.
- 172 (4) "Collaborative applicant" means the entity designated by a continuum of care to collect  
173 and submit data and apply for funds on behalf of the continuum of care, as required by  
174 the United States Department of Housing and Urban Development.
- 175 (5) "Continuum of care" means a regional or local planning body designated by the United  
176 States Department of Housing and Urban Development to coordinate services for  
177 individuals experiencing homelessness within an area of the state.
- 178 (6) "Coordinator" means the state homelessness coordinator appointed under Section  
179 63J-4-202.
- 180 (7) "County of the first class" means the same as that term is defined in Section 17-50-501.
- 181 (8) "County of the second class" means the same as that term is defined in Section  
182 17-50-501.
- 183 (9) "Eligible services" means any activities or services that mitigate the impacts of the  
184 location of an eligible shelter, including direct services, public safety services, and  
185 emergency services, as further defined by rule made by the office in accordance with  
186 Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- 187 [~~7~~] (10) "Executive committee" means the executive committee of the board.
- 188 [~~8~~] (11) "Exit destination" means:
- 189 (a) a homeless situation;
- 190 (b) an institutional situation;
- 191 (c) a temporary housing situation;
- 192 (d) a permanent housing situation; or
- 193 (e) other.
- 194 [~~9~~] (12) "First-tier eligible municipality" means a municipality that:
- 195 (a) is located within a county of the first or second class;
- 196 (b) as determined by the office, has or is proposed to have an eligible shelter within the  
197 municipality's geographic boundaries within the following fiscal year;
- 198 (c) due to the location of an eligible shelter within the municipality's geographic

- 199 boundaries, requires eligible services; and
- 200 (d) is certified as a first-tier eligible municipality in accordance with Section 35A-16-404.
- 201 ~~[(10)]~~ (13) "Homeless Management Information System" or "HMIS" means an information  
202 technology system that:
- 203 (a) is used to collect client-level data and data on the provision of housing and services  
204 to homeless individuals and individuals at risk of homelessness in the state; and
- 205 (b) meets the requirements of the United States Department of Housing and Urban  
206 Development.
- 207 ~~[(11)]~~ (14) "Homeless services budget" means the comprehensive annual budget and  
208 overview of all homeless services available in the state described in Subsection  
209 35A-16-203(1)(b).
- 210 (15) "Know-by-Name case management system pilot program" means a privately funded  
211 homeless intervention program that shares the aggregated data from HMIS between  
212 service providers and caseworkers to identify and provide an individual experiencing  
213 homelessness with individualized services.
- 214 ~~[(12)]~~ (16) "Local homeless council" means a local planning body designated by the steering  
215 committee to coordinate services for individuals experiencing homelessness within an  
216 area of the state.
- 217 ~~[(13)]~~ (17) "Office" means the Office of Homeless Services.
- 218 (18) "Residential, vocational and life skills program" means the same as that term is defined  
219 in Section 13-53-102.
- 220 ~~[(14)]~~ (19) "Second-tier eligible municipality" means a municipality that:
- 221 (a) is located within a county of the third, fourth, fifth, or sixth class;
- 222 (b) as determined by the office, has or is proposed to have an eligible shelter within the  
223 municipality's geographic boundaries within the following fiscal year;
- 224 (c) due to the location of an eligible shelter within the municipality's geographic  
225 boundaries, requires eligible services; and
- 226 (d) is certified as a second-tier eligible municipality in accordance with Section  
227 35A-16-404.
- 228 ~~[(15)]~~ (20)(a) "Service provider" means a state agency, a local government, or a private  
229 organization that provides services to clients.
- 230 (b) "Service provider" includes a correctional facility and the Administrative Office of  
231 the Courts.
- 232 ~~[(16)]~~ (21) "Steering committee" means the Utah Homeless Network Steering Committee

233 created in Section 35A-16-206.

234 [(17)] (22) "Strategic plan" means the statewide strategic plan to minimize homelessness in  
235 the state described in Subsection 35A-16-203(1)(c).

236 [(18)] (23) "Type of homelessness" means:

- 237 (a) chronic homelessness;
- 238 (b) episodic homelessness;
- 239 (c) situational homelessness; or
- 240 (d) family homelessness.

241 Section 3. Section **35A-16-202** is amended to read:

242 **35A-16-202 . Powers and duties of the office.**

243 (1) The office shall, under the direction of the coordinator:

- 244 (a) assist in providing homeless services in the state;
- 245 (b) coordinate the provision of homeless services in the state;
- 246 (c) manage, with the concurrence of continuum of care organizations approved by the  
247 United States Department of Housing and Urban Development, a Homeless  
248 Management Information System for the state that:
  - 249 (i) shares client-level data between service providers in the state;
  - 250 (ii) is effective as a case management system;
  - 251 (iii) except for individuals receiving services who are victims of domestic violence,  
252 includes an effective authorization protocol for encouraging individuals who are  
253 provided with any homeless services in the state to provide accurate information  
254 to providers for inclusion in the HMIS and, if applicable, Know-by-Name case  
255 management system pilot program; and
  - 256 (iv) meets the requirements of the United States Department of Housing and Urban  
257 Development and other federal requirements;
- 258 (d) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
259 make rules defining "successful exit," "unsuccessful exit," and "neutral exit"; and
- 260 (e) provide support to the steering committee in developing the formula described in  
261 Section 35A-16-211.

262 (2) The office may:

- 263 (a) by following the procedures and requirements of Title 63J, Chapter 5, Federal Funds  
264 Procedures Act, seek federal grants, loans, or participation in federal programs; and
- 265 (b) for any federal program that requires the expenditure of state funds as a condition for  
266 participation by the state in a fund, property, or service, with the governor's approval,



267           expend whatever funds are necessary out of the money provided by the Legislature  
268           for the use of the office.

269           Section 4. Section **35A-16-203** is amended to read:

270           **35A-16-203 . Powers and duties of the coordinator.**

271       (1) The coordinator shall:

272           (a) coordinate the provision of homeless services in the state;

273           (b) in cooperation with the board, develop and maintain a comprehensive annual budget  
274           and overview of all homeless services available in the state, which homeless services  
275           budget shall receive final approval by the board;

276           (c) in cooperation with the board, create a statewide strategic plan to minimize  
277           homelessness in the state, which strategic plan shall receive final approval by the  
278           board;

279           (d) in cooperation with the board, oversee funding provided for the provision of  
280           homeless services, which funding shall receive final approval by the board, including  
281           funding from the:

282           (i) Pamela Atkinson Homeless Account created in Section 35A-16-301;

283           (ii) Homeless to Housing Reform Restricted Account created in Section 35A-16-303;  
284           and

285           (iii) Homeless Shelter Cities Mitigation Restricted Account created in Section  
286           35A-16-402;

287           (e) provide administrative support to and serve as a member of the board;

288           (f) at the governor's request, report directly to the governor on issues regarding  
289           homelessness in the state and the provision of homeless services in the state; and

290           (g) report directly to the president of the Senate and the speaker of the House of  
291           Representatives at least twice each year on issues regarding homelessness in the state  
292           and the provision of homeless services in the state.

293       (2) The coordinator, in cooperation with the board, shall ensure that the homeless services  
294       budget described in Subsection (1)(b) includes an overview and coordination plan for all  
295       funding sources for homeless services in the state, including from state agencies,  
296       continuum of care organizations, housing authorities, local governments, federal  
297       sources, and private organizations.

298       (3) The coordinator, in cooperation with the board and taking into account the metrics  
299       established and data reported in accordance with Section 35A-16-211, shall ensure that  
300       the strategic plan described in Subsection (1)(c):

- 301 (a) outlines specific goals and measurable benchmarks for minimizing homelessness in  
302 the state and for coordinating services for individuals experiencing homelessness  
303 among all service providers in the state;
- 304 (b) identifies best practices or innovative strategies and recommends improvements to  
305 the provision of services to individuals experiencing homelessness in the state to  
306 ensure the services are provided in a safe, cost-effective, and efficient manner;
- 307 (c) identifies best practices or innovative strategies and recommends improvements in  
308 coordinating the delivery of services to the variety of populations experiencing  
309 homelessness in the state, including through the use of electronic databases and  
310 improved data sharing among all service providers in the state;
- 311 (d) identifies gaps and recommends solutions in the delivery of services to the variety of  
312 populations experiencing homelessness in the state; and
- 313 (e) takes into consideration the success of the HOME Court Pilot Program established in  
314 Section 26B-5-382.
- 315 (4) In overseeing funding for the provision of homeless services as described in Subsection  
316 (1)(d), the coordinator:
- 317 (a) shall prioritize the funding of programs and providers that have a documented history  
318 of successfully reducing the number of individuals experiencing homelessness,  
319 reducing the time individuals spend experiencing homelessness, moving individuals  
320 experiencing homelessness to permanent housing, or reducing the number of  
321 individuals who return to experiencing homelessness;
- 322 (b) except for a program or provider providing services to victims of domestic violence,  
323 may not approve funding to a program or provider that does not enter into a written  
324 agreement with the office to collect and share HMIS and, if applicable,  
325 Know-by-Name case management system pilot program data regarding the provision  
326 of services to individuals experiencing homelessness so that the provision of services  
327 can be coordinated among state agencies, local governments, and private  
328 organizations; and
- 329 (c) if the [~~homelessness council~~] board has approved a funding formula developed by the  
330 steering committee, as described in Section 35A-16-205:
- 331 (i) except as provided in Subsection (4)(c)(ii), shall utilize that funding formula in  
332 disbursing funds for the provision of homeless services; and
- 333 (ii) shall ensure that any federal funds not subject to the funding formula are  
334 disbursed in accordance with any applicable federal requirements.

- 335 (5) In cooperation with the board, the coordinator shall update the annual statewide budget  
336 and the strategic plan described in this section on an annual basis.
- 337 (6)(a) On or before October 1, the coordinator shall provide a written report to the  
338 department for inclusion in the department's annual written report described in  
339 Section 35A-1-109.
- 340 (b) The written report shall include:
- 341 (i) the homeless services budget;
- 342 (ii) the strategic plan;
- 343 (iii) recommendations regarding improvements to coordinating and providing  
344 services to individuals experiencing homelessness in the state;
- 345 (iv) in coordination with the board, a complete accounting of the office's  
346 disbursement of funds during the previous fiscal year from:
- 347 (A) the Pamela Atkinson Homeless Account created in Section 35A-16-301;
- 348 (B) the Homeless to Housing Reform Restricted Account created in Section  
349 35A-16-303;
- 350 (C) the Homeless Shelter Cities Mitigation Restricted Account created in Section  
351 35A-16-402;
- 352 (D) the COVID-19 Homeless Housing and Services Grant Program created in  
353 Section 35A-16-602; and
- 354 (E) any other grant program created in statute that is administered by the office;  
355 and
- 356 (v) the data described in Section 35A-16-211.
- 357 Section 5. Section **35A-16-204** is amended to read:
- 358 **35A-16-204 . Utah Homeless Services Board.**
- 359 (1) There is created within the office the Utah Homeless Services Board.
- 360 (2)(a) The board shall consist of the following members:
- 361 (i) a representative, appointed by the speaker of the House of Representatives;
- 362 (ii) a representative, appointed by the president of the Senate;
- 363 (iii) a private sector representative, appointed by the governor;
- 364 (iv) a representative, appointed by the governor;
- 365 (v) a statewide philanthropic leader, appointed by the Utah Impact Partnership or the  
366 partnership's successor organization;
- 367 (vi) the mayor of Salt Lake City;
- 368 (vii) the chief executive officer appointed by the Shelter Cities Advisory Council in

- 369 accordance with Section 35A-16-210;
- 370 (viii) an individual with lived experience of homelessness, appointed by the chair of
- 371 the board;
- 372 [~~(viii) an elected official appointed by the Utah Association of Counties or the~~
- 373 ~~association's successor organization;]~~
- 374 (ix) [~~a county employee who oversees behavioral health,]~~ a representative, appointed
- 375 by the Utah Association of Counties or the association's successor organization;
- 376 (x) an individual who represents the Utah Homeless Network; and
- 377 (xi) the coordinator.
- 378 (b) The governor shall select a board member to serve as chair of the board.
- 379 (3) The following four members of the board shall serve as the executive committee:
- 380 (a) the coordinator; and
- 381 (b) three board members chosen by the board chair, which shall include one of the
- 382 members described in Subsection (2)(a)(vi) or (2)(a)(vii).
- 383 (4)(a) The board shall meet at least once per calendar quarter.
- 384 (b) The chair, the coordinator, or three of the board members may call a board meeting.
- 385 (c) The individual calling the meeting shall provide notice of the meeting to the board
- 386 members at least three calendar days in advance of the meeting.
- 387 (5) A majority of the voting members of the board constitutes a quorum of the board at any
- 388 meeting, and the action of the majority of voting members present constitutes the action
- 389 of the board.
- 390 (6)(a) A majority of members of the executive committee constitutes a quorum of the
- 391 executive committee at any meeting, and the action of the majority of members
- 392 present constitutes the action of the executive committee.
- 393 (b) The executive committee is exempt from the requirements described in Title 52,
- 394 Chapter 4, Open and Public Meetings Act.
- 395 (7)(a) Except as required by Subsection (7)(c):
- 396 (i) each appointed member of the board, other than a board member described in
- 397 Subsection (2)(a)(vii), shall serve a four-year term; and
- 398 (ii) the board member appointed in accordance with Subsection (2)(a)(vii) shall serve
- 399 a two-year term.
- 400 (b) A board member may serve more than one term.
- 401 (c) The appointing authority, at the time of appointment or reappointment, may adjust
- 402 the length of terms to ensure that the terms of board members are staggered so that

- 403 approximately half of the appointed board members are appointed every two years.
- 404 (8) When a vacancy occurs in the appointed membership for any reason, the replacement is  
405 appointed for the unexpired term.
- 406 (9)(a) Except as described in Subsection (9)(b), a member may not receive  
407 compensation or benefits for the member's service but may receive per diem and  
408 travel expenses in accordance with:
- 409 (i) Section 63A-3-106;  
410 (ii) Section 63A-3-107; and  
411 (iii) rules made by the Division of Finance in accordance with Sections 63A-3-106  
412 and 63A-3-107.
- 413 (b) Compensation and expenses of a board member who is a legislator are governed by  
414 Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and  
415 Expenses.
- 416 (10) The office shall provide staff and administrative support to the board.  
417 Section 6. Section **35A-16-205** is amended to read:  
418 **35A-16-205 . Duties of the board.**
- 419 (1) The board:
- 420 (a) shall provide final approval for:
- 421 (i) a funding formula developed by the steering committee under Section 35A-16-211;  
422 (ii) the homeless services budget;  
423 (iii) the strategic plan; and  
424 (iv) the awarding of funding for the provision of homeless services as described in  
425 Subsection 35A-16-203(1)(d);
- 426 (b) in cooperation with the coordinator, shall:
- 427 (i) develop and maintain the homeless services budget;  
428 (ii) develop and maintain the strategic plan; and  
429 (iii) review applications and approve funding for the provision of homeless services  
430 in the state as described in Subsection 35A-16-203(1)(d);
- 431 (c) shall review local and regional plans for providing services to individuals  
432 experiencing homelessness;
- 433 (d) shall cooperate with local homeless councils to:
- 434 (i) develop a common agenda and vision for reducing homelessness in each local  
435 oversight body's respective region;  
436 (ii) as part of the homeless services budget, develop a spending plan that coordinates

- 437 the funding supplied to local stakeholders; and
- 438 (iii) align local funding to projects that improve outcomes and target specific needs in
- 439 each community;
- 440 (e) shall coordinate gap funding with private entities for providing services to
- 441 individuals experiencing homelessness;
- 442 (f) shall recommend performance and accountability measures for service providers,
- 443 including the support of collecting consistent and transparent data;
- 444 (g) when reviewing and giving final approval for requests as described in Subsection
- 445 35A-16-203(1)(d):
- 446 (i) may only recommend funding if the proposed recipient has a policy to share
- 447 client-level service information with other entities in accordance with state and
- 448 federal law to enhance the coordination of services for individuals who are
- 449 experiencing homelessness; and
- 450 (ii) shall identify specific targets and benchmarks that align with the strategic plan for
- 451 each recommended award;
- 452 (h) shall regularly update the state strategic plan on homelessness to reflect:
- 453 (i) trends in homelessness as identified by the review of:
- 454 (A) local data; and
- 455 (B) performance and accountability metrics in accordance with this section; and
- 456 (ii) proven strategies to reduce homelessness among:
- 457 [(i)] (A) the unsheltered;
- 458 [(ii)] (B) the chronically or episodically homeless; and
- 459 [(iii)] (C) the situationally homeless;
- 460 (i) shall develop annual state and local goals for reducing homelessness among the target
- 461 subpopulations identified by the board;
- 462 (j) shall work with the local homeless councils to carry out the requirements of
- 463 Subsection 35A-16-211(3);
- 464 (k) shall develop metrics for measuring the effectiveness of providers in assisting clients
- 465 to successfully progress through the services coordinated by a continuum of care;
- 466 (l) shall create best practices or innovative strategies for a service provider to administer
- 467 services to an individual experiencing homelessness, including promotion of:
- 468 (i) a recognition of the human dignity of clients served;
- 469 (ii) a need to develop self-reliance;
- 470 (iii) the value of work;

- 471 (iv) personal accountability; and
- 472 (v) personal progress toward greater personal independence;
- 473 (m) shall make recommendations for uniform standards for enforcing pedestrian safety
- 474 and unsanctioned camping laws and ordinances;
- 475 (n) shall identify best practices or innovative strategies for responding to unsheltered
- 476 individuals experiencing mental health disorder and substance use disorder;
- 477 (o) shall make recommendations for strategies to reduce illegal drug use within
- 478 homeless shelters, transitional housing, and permanent supportive housing;
- 479 (p) shall facilitate client connection to alternative support systems, including behavioral
- 480 health services, addiction recovery, and residential services;
- 481 (q) shall facilitate participation in HMIS, where appropriate and in alignment with
- 482 established HMIS policies, and data sharing agreements among all participants in a
- 483 client support network, including:
- 484 (i) homeless services, physical health systems, mental health systems, and the
- 485 criminal justice system; and
- 486 (ii) for participating providers, the Know-by-Name case management system pilot
- 487 program;
- 488 (r) shall make recommendations to the office for defining "successful exit,"
- 489 "unsuccessful exit," and "neutral exit";
- 490 (s) shall evaluate additional opportunities for the office to become a collaborative
- 491 applicant;
- 492 (t) shall coordinate with the continuums of care to provide for cooperative distribution of
- 493 available funding;
- 494 (u) shall work in conjunction with the executive directors of the Department of
- 495 Workforce Services, the Department of Health and Human Services, and the
- 496 Department of Corrections to create best practices or innovative strategies for helping
- 497 individuals exiting from incarceration or an institution to avoid homelessness; and
- 498 (v) shall establish standards for the prioritization of beds located in homeless shelters in
- 499 accordance with Section 35A-16-205.1.
- 500 (2)(a) In approving a funding formula, as described in Subsection (1)(a)(i), the board
- 501 shall take action on a proposed funding formula by a two-thirds vote.
- 502 (b) If the board cannot approve a proposed funding formula, the board shall refer the
- 503 proposed funding formula back to the steering committee for further consideration.
- 504 (3)(a) The executive committee shall act in an advisory capacity for the board and make

505 recommendations regarding the board's duties under Subsection (1).

506 (b) The executive committee does not have authority to make decisions independent of  
507 the board.

508 Section 7. Section **35A-16-205.1** is amended to read:

509 **35A-16-205.1 . Utah Homeless Services Board to establish standards for the**  
510 **prioritization of homeless shelter beds -- Dissemination -- Compliance with standards**  
511 **required for receipt of state funds.**

512 (1) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the [  
513 ~~homelessness council~~] board shall make rules establishing standards for the prioritization  
514 of beds located in a homeless shelter.

515 (2) In establishing standards under Subsection (1), the [~~homelessness council~~] board shall:

516 (a) assign highest priority for available beds to:

517 (i) individuals eligible for Temporary Assistance for Needy Families funds pursuant  
518 to 42 U.S.C. Sec. 604; and

519 (ii) individuals discharged from the Utah State Hospital created in Section 26B-5-302;  
520 and

521 (b) require a homeless shelter, if feasible, to allocate an average of 85% of the total  
522 number of beds located in a homeless shelter to individuals described in Subsection  
523 (2)(a)(i).

524 (3) The office shall disseminate the standards established by the [~~homelessness council~~]  
525 board under Subsection (1) to each homeless shelter located within the state.

526 (4) Notwithstanding any other provisions in this chapter, state funds may not be awarded  
527 under this chapter directly to or for the benefit of a homeless shelter located within the  
528 state unless the homeless shelter complies with the standards established by the [  
529 ~~homelessness council~~] board under Subsection (1).

530 Section 8. Section **35A-16-207** is amended to read:

531 **35A-16-207 . Duties of the steering committee.**

532 (1) The steering committee shall:

533 (a) support connections across continuums of care, local homeless councils, and state  
534 and local governments;

535 (b) coordinate statewide emergency and crisis response in relation to services for  
536 individuals experiencing homelessness;

537 (c) provide training to providers of services for individuals experiencing homelessness,  
538 stakeholders, and policymakers;



539 (d) educate the general public and other interested persons regarding the needs,  
 540 challenges, and opportunities for individuals experiencing homelessness; and  
 541 (e) make recommendations to the [~~homelessness council~~] board regarding the awarding  
 542 of funding for the provision of homeless services as described in Subsection  
 543 35A-16-203(1)(d).

544 (2) The steering committee shall, in consultation with members of the [~~homelessness~~  
 545 ~~council~~] board, the office, members of local [~~homelessness~~] homeless councils, and the  
 546 coordinator, develop a funding formula as described in Section 35A-16-211.

547 Section 9. Section **35A-16-208** is amended to read:

548 **35A-16-208 . Reporting requirements -- Outcome measures.**

549 (1)(a) The office shall report, for the state and for each local homeless council:

- 550 (i) the state's year-to-date progress toward reaching a functional zero level of  
 551 homelessness for each type of homelessness and subpopulation, including:  
 552 (A) the number of individuals who are homeless for the first time;  
 553 (B) the number of individuals who returned to homelessness after having exited  
 554 homelessness within the two previous years;  
 555 (C) the number of individuals who remained homeless since the last report;  
 556 (D) the number of individuals experiencing homelessness since the last report by  
 557 household type;  
 558 (E) the number of individuals who exited by exit destination; and  
 559 (F) the number of individuals who are experiencing homelessness for the first time  
 560 plus the number of individuals who are returning to homelessness minus the  
 561 number of individuals who are exiting homelessness;
- 562 (ii) the percentage of individuals experiencing homelessness who:  
 563 (A) have a mental health disorder;  
 564 (B) have a substance use disorder;  
 565 (C) have a chronic health condition;  
 566 (D) have a physical disability;  
 567 (E) have a developmental disability;  
 568 (F) have HIV/AIDS;  
 569 (G) are survivors of domestic violence;  
 570 (H) are veterans; and  
 571 (I) are unaccompanied youth 24 years old or younger;
- 572 (iii) the number of individuals who exited homeless services since the last report by:

- 573 (A) type of homelessness;
- 574 (B) subpopulation; and
- 575 (C) exit destination; and
- 576 (iv) progress, by project type, on each goal established in accordance with Subsection
- 577 (3).
- 578 (b) The reports described in this Subsection (1) shall contain aggregated, de-identified
- 579 information.
- 580 (2) The office shall report the data described in Subsection (1):
- 581 (a) in the annual report required by Section 35A-16-203;
- 582 (b) on or before October 1 of each year, through an oral presentation to the Economic
- 583 Development and Workforce Services Interim Committee; and
- 584 (c) on a data dashboard for the public with specific additional data points recommended
- 585 by the board.
- 586 (3) The board and the local homeless councils shall jointly establish quarterly goals for
- 587 each project type.
- 588 (4) The board and the local homeless councils shall jointly make annual progress reports
- 589 identifying:
- 590 (a) the percentage of clients:
- 591 (i) screened for social needs; and
- 592 (ii) referred for services that match the clients' social needs;
- 593 (b) the percentage of clients subsequently referred to community-based providers who
- 594 can:
- 595 (i) address the client's needs;
- 596 (ii) follow-up on status of addressing the client's needs; and
- 597 (iii) report back to the referring entity;
- 598 (c) the number of youth receiving parent or guardian bereavement support services; and
- 599 (d) the number of clients with:
- 600 (i) a successful exit;
- 601 (ii) an unsuccessful exit;
- 602 (iii) a neutral exit; and
- 603 (iv) continued enrollment in the project.

604 Section 10. Section **35A-16-210.1** is enacted to read:

605 **35A-16-210.1 . Shelter Counties Advisory Board.**

- 606 (1) There is established the Shelter Counties Advisory Board.

607 (2) The Shelter Counties Advisory Board shall consist of the chief executive officer of each  
 608 county that maintains a homeless shelter year round, or the chief executive officer's  
 609 designee.

610 (3) The Shelter Counties Advisory Board may make recommendations to the board  
 611 regarding improvements to coordinating and providing services to individuals  
 612 experiencing homelessness in the state.

613 (4) The office and an association representing at least two counties in the state shall jointly  
 614 provide staff and administrative support to the Shelter Counties Advisory Board.

615 Section 11. Section **35A-16-302** is amended to read:

616 **35A-16-302 . Uses of Homeless to Housing Reform Restricted Account.**

617 (1) The board may award ongoing or one-time grants or contracts funded from the  
 618 Homeless to Housing Reform Restricted Account created in Section 35A-16-303.

619 (2) As a condition of receiving money, including any ongoing money, from the restricted  
 620 account, an entity awarded a grant or contract under this section shall provide detailed  
 621 and accurate reporting on at least an annual basis to the board and the coordinator that  
 622 describes:

623 (a) how money provided from the restricted account has been spent by the entity; and  
 624 (b) the progress towards measurable outcome-based benchmarks agreed to between the  
 625 entity and the board before the awarding of the grant or contract.

626 (3) In determining the awarding of a grant or contract under this section, the board and the  
 627 coordinator shall:

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

630 (b) give priority to a project or contract that will include significant additional or  
 631 matching funds from a private organization, nonprofit organization, or local  
 632 government entity;

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

635 (i) families with children;

636 (ii) transitional-aged youth;

637 (iii) single men or single women;

638 (iv) veterans;

639 (v) victims of domestic violence;

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

- 641 substance use disorders;
- 642 (vii) individuals who are medically frail or terminally ill;
- 643 (viii) individuals exiting prison or jail; or
- 644 (ix) individuals who are homeless without shelter;
- 645 (d) consider whether the project will address one or more of the following goals:
- 646 (i) diverting homeless or imminently homeless individuals and families from
- 647 emergency shelters by providing better housing-based solutions;
- 648 (ii) meeting the basic needs of homeless individuals and families in crisis;
- 649 (iii) providing homeless individuals and families with needed stabilization services;
- 650 (iv) decreasing the state's homeless rate;
- 651 (v) implementing a coordinated entry system with consistent assessment tools to
- 652 provide appropriate and timely access to services for homeless individuals and
- 653 families;
- 654 (vi) providing access to caseworkers or other individualized support for homeless
- 655 individuals and families;
- 656 (vii) encouraging employment and increased financial stability for individuals and
- 657 families being diverted from or exiting homelessness;
- 658 (viii) creating additional affordable housing for state residents;
- 659 (ix) providing services and support to prevent homelessness among at-risk
- 660 individuals and adults;
- 661 (x) providing services and support to prevent homelessness among at-risk children,
- 662 adolescents, and young adults;
- 663 (xi) preventing the reoccurrence of homelessness among individuals and families
- 664 exiting homelessness; and
- 665 (xii) providing medical respite care for homeless individuals where the homeless
- 666 individuals can access medical care and other supportive services; and
- 667 (e) address the needs identified in the strategic plan described in Section 35A-16-203 for
- 668 inclusion in the annual written report described in Section 35A-1-109.
- 669 (4) In addition to the other provisions of this section, in determining the awarding of a grant
- 670 or contract under this section to design, build, create, or renovate a facility that will
- 671 provide shelter or other resources for the homeless, the board, with the concurrence of
- 672 the coordinator, may consider whether the facility will be:
- 673 (a) located near mass transit services;
- 674 (b) located in an area that meets or will meet all zoning regulations before a final

- 675 dispersal of funds;
- 676 (c) safe and welcoming both for individuals using the facility and for members of the  
677 surrounding community; and
- 678 (d) located in an area with access to employment, job training, and positive activities.
- 679 (5) In accordance with Subsection (4), and subject to the approval of the board, with the  
680 concurrence of the coordinator, the following may recommend a site location, acquire a  
681 site location, and hold title to real property, buildings, fixtures, and appurtenances of a  
682 facility that provides or will provide shelter or other resources for the homeless:
- 683 (a) the county executive of a county of the first class on behalf of the county of the first  
684 class, if the facility is or will be located in the county of the first class in a location  
685 other than Salt Lake City;
- 686 (b) the state;
- 687 (c) a nonprofit entity approved by the board, with the concurrence of the coordinator; and
- 688 (d) a mayor of a municipality on behalf of the municipality where a facility is or will be  
689 located.
- 690 (6)(a) If a homeless shelter commits to provide any amount of matching funds under this  
691 Subsection (6), the board, with the concurrence of the coordinator, may award a grant  
692 for the ongoing operations of the homeless shelter.
- 693 (b) In awarding a grant under this Subsection (6), the board, with the concurrence of the  
694 coordinator, shall consider:
- 695 (i) the number of beds available at the homeless shelter;
- 696 (ii) the number and quality of the homeless services provided by the homeless  
697 shelter; and
- 698 (iii) the amount of matching funds provided by the homeless shelter.
- 699 (7)(a) To meet the goals described in Subsection (3), the office may expend money from the restricted  
account to provide individuals experiencing homelessness transportation costs to connect the  
individual with a support network outside of the state.
- 700 (b) A service provider that applies for a grant award for the purposes described under  
701 Subsection (7)(a) shall provide the office with a detailed report that includes:
- 702 (i) the name and address of the person to provide support services for the individual  
703 experiencing homelessness; and
- 704 (ii) the transportation costs that the individual experiencing homelessness may require.
- 705 (8) The office may expend money from the restricted account to offset actual office and  
706 board expenses related to administering this section.

707 Section 12. Section **35A-16-403** is amended to read:

708 **35A-16-403 . Eligible municipality application process for Homeless Shelter**

709 **Cities Mitigation Restricted Account funds.**

710 (1) An eligible municipality may apply for account funds to mitigate the impacts of the  
711 location of an eligible shelter through the provision of eligible services within the  
712 eligible municipality's boundaries.

713 (2)(a) The board shall set aside time on the agenda of a board meeting that occurs before  
714 the beginning of the next fiscal year to allow an eligible municipality to present a  
715 request for account funds for that next fiscal year.

716 (b) An eligible municipality may present a request for account funds by:

- 717 (i) sending an electronic copy of the request to the board before the meeting; and  
718 (ii) appearing at the meeting to present the request.

719 (c) The request described in Subsection (2)(b)(i) shall contain:

- 720 (i) a proposal outlining the need for eligible services, including a description of each  
721 eligible service for which the eligible municipality requests account funds;  
722 (ii) a description of the eligible municipality's proposed use of account funds;  
723 (iii) a description of the outcomes that the funding would be used to achieve,  
724 including indicators that would be used to measure progress toward the specified  
725 outcomes; and  
726 (iv) the amount of account funds requested.

727 (d)(i) On or before September 30, an eligible municipality that received account  
728 funds during the previous fiscal year shall file electronically with the board a  
729 report that includes:

- 730 (A) a summary of the amount of account funds that the eligible municipality  
731 expended and the eligible municipality's specific use of those funds;  
732 (B) an evaluation of the eligible municipality's effectiveness in using the account  
733 funds to address the eligible municipality's needs due to the location of an  
734 eligible shelter;  
735 (C) an evaluation of the eligible municipality's progress regarding the outcomes  
736 and indicators described in Subsection (2)(c)(iii); and  
737 (D) any proposals for improving the eligible municipality's effectiveness in using  
738 account funds that the eligible municipality may receive in future fiscal years.  
739 (ii) The board may request additional information as needed to make the evaluation  
740 described in Subsection (2)(e).

- 741 (e) The board shall evaluate a request made in accordance with this Subsection (2) and  
742 may take the following factors into consideration in determining whether to approve  
743 or deny the request:
- 744 (i) the strength of the proposal that the eligible municipality provided to support the  
745 request;
  - 746 (ii) if the eligible municipality received account funds during the previous fiscal year,  
747 the efficiency with which the eligible municipality used any account funds during  
748 the previous fiscal year;
  - 749 (iii) the availability of funding for the eligible municipality under Subsection  
750 35A-16-402(4);
  - 751 (iv) the availability of alternative funding for the eligible municipality to address the  
752 eligible municipality's needs due to the location of an eligible shelter; and
  - 753 (v) any other considerations identified by the board.
- 754 (f) After making the evaluation described in Subsection (2)(e), and subject to Subsection  
755 (2)(g), the board shall vote to either approve or deny an eligible municipality's  
756 request for account funds.
- 757 (g)(i) In addition to the evaluation under Subsection (2)(e), the board may not  
758 approve an eligible municipality's request to receive account funds under this  
759 section unless the eligible municipality:
- 760 (A) enforces an ordinance that prohibits camping;
  - 761 (B) enforces an ordinance or other applicable state law prohibiting conduct that  
762 impedes or blocks traffic in violation of Subsection 41-6a-1009(4); and
  - 763 (C) demonstrates improvement in reducing the conduct described in Subsections  
764 (2)(g)(i)(A) and (B).
- 765 (ii) In determining whether an eligible municipality has demonstrated improvement  
766 under Subsection (2)(g)(i)(C), the board shall consider:
- 767 (A) the specific measures taken by the municipality to reduce the conduct  
768 described in Subsections (2)(g)(i)(A) and (B), and the effectiveness of those  
769 measures in reducing the conduct;
  - 770 (B) the strategies utilized by the municipality in managing and improving public  
771 spaces within the municipality, and the impact of these strategies on safety,  
772 cleanliness, and the well-being of the community; and
  - 773 (C) the gap between the number of individuals experiencing homelessness within  
774 the municipality and the availability of beds at homeless shelters to which the

- 775 individuals experiencing homelessness have reasonable access, and any  
776 changes to this gap over time.
- 777 (iii) The board [~~may~~] shall coordinate with the Department of Public Safety for the  
778 receipt of quantitative and qualitative data to determine compliance with  
779 applicable state and local laws.
- 780 (iv) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
781 and with the approval of the board, the office shall make rules establishing  
782 standards for the information required by an eligible municipality to demonstrate  
783 improvement under Subsection (2)(g)(i)(C).
- 784 (h) If the board approves an eligible municipality's request to receive account funds  
785 under Subsection (2)(f), the office, subject to appropriation, shall calculate the  
786 amount of funds for disbursement to the eligible municipality under Subsection  
787 35A-16-402(4).
- 788 (3) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
789 office shall make rules governing the process for calculating the amount of funds that an  
790 eligible municipality may receive under Subsection 35A-16-402(4).
- 791 Section 13. Section **35A-16-501** is amended to read:
- 792 **35A-16-501 . Definitions.**
- 793 As used in this part:
- 794 (1) "Applicable county" means a county of the first or second class.
- 795 (2) "Applicable local homeless council" means the local homeless council that is  
796 responsible for coordinating homeless response within an applicable county.
- 797 (3) "Board" means the Utah Homeless Services Board created in Section 35A-16-204.
- 798 [~~(3)~~] (4) "Capacity limit" means a limit as to the number of individuals that a homeless  
799 shelter may provide overnight shelter to under a conditional use permit.
- 800 [~~(4)~~] (5) "Chief executive officer" means the same as that term is defined in Section  
801 11-51-102.
- 802 [~~(5)~~] (6) "Community location" means the same as that term is defined in Section 10-8-41.6.
- 803 [~~(6)~~] (7) "Conference of mayors" means an association consisting of the mayor of each  
804 municipality located within a county.
- 805 [~~(7)~~] (8) "Council of governments" means the same as that term is defined in Section  
806 72-2-117.5.
- 807 [~~(8)~~] (9) "County winter response task force" or "task force" means a task force described in  
808 Section 35A-16-501.5.



809 [(9)] (10) "Homeless shelter" means a facility that:

810 (a) provides temporary shelter to individuals experiencing homelessness;

811 (b) operates year-round; and

812 (c) is not subject to restrictions that limit the hours, days, weeks, or months of operation.

813 [(10)] (11) "Municipality" means a city or town.

814 [(11)] (12) "State facility" means the same as that term is defined in Section 63A-5b-1001.

815 [(12)] (13) "Subsequent winter response period" means the winter response period that

816 begins on October 15 of the year in which a county winter response task force is

817 required to submit a winter response plan to the office under Section 35A-16-502.

818 [(13)] (14) "Targeted winter response bed count" means the targeted bed count number for

819 an applicable county during the winter response period, as determined jointly by the

820 applicable local homeless council and the office.

821 [(14)] (15) "Temporary winter response shelter" means a facility that:

822 (a) provides temporary emergency shelter to individuals experiencing homelessness

823 during a winter response period; and

824 (b) does not operate year-round.

825 [(15)] (16) "Winter response period" means the period beginning October 15 and ending

826 April 30 of the following year.

827 [(16)] (17) "Winter response plan" means the plan described in Section 35A-16-502.

828 Section 14. Section **35A-16-501.5** is amended to read:

829 **35A-16-501.5 . County winter response task force.**

830 (1) [~~Subject to the requirements of Section 35A-16-502, the~~] The council of governments of

831 each applicable county shall annually convene a county winter response task force to

832 advise and provide recommendations to the board concerning the needs of homeless

833 individuals during a winter response period, including recommendations for site

834 selection of a temporary winter response shelter.

835 (2)(a) The task force for Salt Lake County shall consist of the following 14 voting

836 members:

837 (i) the chief executive officer of Salt Lake County, or the chief executive officer's  
838 designee;

839 (ii) the chief executive officer, or the chief executive officer's designee, of each of the  
840 following 11 municipalities:

841 (A) Draper;

842 (B) Midvale;

- 843 (C) Millcreek;
- 844 (D) Murray;
- 845 (E) Salt Lake City;
- 846 (F) Sandy;
- 847 (G) South Jordan;
- 848 (H) South Salt Lake;
- 849 (I) Taylorsville;
- 850 (J) West Jordan; and
- 851 (K) West Valley City; and
- 852 (iii) the chief executive officer, or the chief executive officer's designee, of any two
- 853 municipalities located in Salt Lake County that are not described in Subsection
- 854 (2)(a)(ii), appointed by the conference of mayors of Salt Lake County.
- 855 (b) A task force for an applicable county not described in Subsection (2)(a) shall consist
- 856 of the following voting members:
- 857 (i) ~~[the chief executive officer of the applicable county, or the chief executive~~
- 858 ~~officer's designee]~~ an officer of the applicable county nominated by the county
- 859 governing body; and
- 860 (ii) the chief executive officer, or the chief executive officer's designee, of a number
- 861 of municipalities located in the applicable county that the conference of mayors of
- 862 the applicable county considers to be appropriate, appointed by the conference of
- 863 mayors of the applicable county.
- 864 (3) In addition to the voting members required in Subsection (2), a task force shall include
- 865 the following nonvoting members:
- 866 (a) the coordinator, or the coordinator's designee;
- 867 (b) one representative of the Utah League of Cities and Towns, appointed by the Utah
- 868 League of Cities and Towns, or the representative's designee;
- 869 (c) one representative of the Utah Association of Counties, appointed by the Utah
- 870 Association of Counties, or the representative's designee;
- 871 (d) two individuals experiencing homelessness or having previously experienced
- 872 homelessness, appointed by the ~~[applicable local homeless council]~~ voting members
- 873 of the task force;
- 874 (e) ~~[three]~~ two representatives of the applicable local homeless council, appointed by the [~~applicable local homeless council, or the representative's designee]~~ voting members of
- 875 the task force; ~~[-and]~~
- 876

- 877 (f) one representative from a local public safety entity appointed by the voting members  
 878 of the task force; and  
 879 ~~[(f)]~~ (g) any other individual appointed by the council of governments of the applicable  
 880 county.
- 881 (4)(a) Any vacancy on a task force shall be filled in the same manner as the appointment  
 882 of the member whose vacancy is being filled.
- 883 (b) Each member of a task force shall serve until a successor is appointed.
- 884 (5) A majority of the voting members of a task force constitutes a quorum and may act on  
 885 behalf of the task force.
- 886 (6) A task force shall:
- 887 (a) select officers from the task force's members as the task force finds necessary; and  
 888 (b) meet as necessary to effectively conduct the task force's business and duties as  
 889 prescribed by statute.
- 890 (7) A task force may establish one or more working groups as is deemed appropriate to  
 891 assist on specific issues related to the task force's duties~~[-, including a working group for~~  
 892 ~~site selection of temporary winter response shelters].~~
- 893 (8)(a) A task force member may not receive compensation or benefits for the task force  
 894 member's service.
- 895 (b) A task force member may receive per diem and travel expenses in accordance with:  
 896 (i) Section 63A-3-106;  
 897 (ii) Section 63A-3-107; and  
 898 (iii) rules made by the Division of Finance in accordance with Sections 63A-3-106  
 899 and 63A-3-107.
- 900 (9) The applicable county for which a task force is convened shall provide administrative  
 901 support to the task force.
- 902 (10) Meetings of the task force are not subject to Title 52, Chapter 4, Open and Public  
 903 Meetings Act.
- 904 Section 15. Section **35A-16-602** is amended to read:  
 905 **35A-16-602 . COVID-19 Homeless Housing and Services Grant Program.**
- 906 (1) There is established the COVID-19 Homeless Housing and Services Grant Program, a  
 907 competitive grant program administered by the office and funded in accordance with 42  
 908 U.S.C. Sec. 802.
- 909 (2) The office shall distribute money to fund one or more projects that:  
 910 (a) include affordable housing units for households:

- 911 (i) whose income is no more than 30% of the area median income for households of  
 912 the same size in the county or municipality where the project is located;
- 913 (ii) at rental rates no greater than 30% of the income described in Subsection (2)(a)(i)  
 914 for a household of:
- 915 (A) one person if the unit is an efficiency unit;  
 916 (B) two people if the unit is a one-bedroom unit;  
 917 (C) four people if the unit is a two-bedroom unit;  
 918 (D) five people if the unit is a three-bedroom unit;  
 919 (E) six people if the unit is a four-bedroom unit; or  
 920 (F) eight people if the unit is a five-bedroom or larger unit; and
- 921 (iii) that have been impacted by the COVID-19 emergency in accordance with 42  
 922 U.S.C. Sec. 802; and
- 923 (b) have been approved by the board.
- 924 (3) The office shall:
- 925 (a) administer the grant program, including:
- 926 (i) reviewing grant applications and making recommendations to the board; and  
 927 (ii) distributing grant money to approved grant recipients; and
- 928 (b) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
 929 make rules to administer the program, including:
- 930 (i) grant application requirements;  
 931 (ii) procedures to approve a grant; and  
 932 (iii) procedures for distributing money to grant recipients.
- 933 (4) ~~When~~ Except as provided in Subsection (5), when reviewing an application for  
 934 approval, the board shall consider:
- 935 (a) an applicant's rental income plan;  
 936 (b) proposed case management and service plans for households;  
 937 (c) any matching funds proposed by an applicant;  
 938 (d) proposed restrictions, including deed restrictions, and the duration of restrictions on  
 939 housing units to facilitate long-term assistance to households;  
 940 (e) whether use of funds for the proposed project complies with 42 U.S.C. Sec. 802; and  
 941 (f) any other considerations as adopted by the board.
- 942 (5) A licensed residential, vocational and life skills program, as defined in Section  
 943 13-53-102, is exempt from the requirements described in Subsections (4)(a), (b), and (f).  
 944 ~~[(5)]~~ (6) A grant award under this section shall comply with the requirements of 42 U.S.C.

945 Sec. 802.

946 Section 16. Section **35A-16-801** is enacted to read:

947 **Part 8. Homeless Services Provider Program Requirements**

948 **35A-16-801 . Homeless services provider program requirements.**

949 (1) As used in this part:

950 (a) "Pathway to human thriving" means the framework by which homeless services  
951 offered and administered in the state are designed to assist individuals experiencing  
952 homelessness, including measurable services that assist in an individual's progress  
953 from past trauma and personal struggles to personal healing, transformation, and  
954 thriving.

955 (b) "Struggling" means an individual who is experiencing homelessness is unable to  
956 meet the individual's basic needs, including food and shelter, and who may be  
957 experiencing trauma or other barriers in securing and maintaining stable housing with  
958 or without the assistance of supportive services.

959 (c) "Surviving" means an individual who is experiencing homelessness is able to secure  
960 the individual's basic needs, including food and shelter, including temporary shelter,  
961 by relying upon supportive services.

962 (d) "Thriving" means an individual who experienced homelessness is able to secure and  
963 support the individual's basic needs, including food and shelter and who is actively  
964 engaged in personal development and is experiencing a sense of purpose and  
965 fulfillment.

966 (2) A service provider may design and administer a homeless services program that  
967 recognizes a homeless individual's pathway to human thriving, as provided in Section  
968 35A-16-205.

969 (3) The services described in Subsection (2) may include evidence-based and measurable  
970 services to assist in a client's progress and transition along the pathway of human  
971 thriving.

972 (4) A service provider may directly measure, or, if applicable, work with an assigned  
973 Know-by-Name caseworker to measure, the progress and transition described in  
974 Subsection (3) in areas that include:

975 (a) education, employment, and income;

976 (b) housing;

977 (c) legal rights and emergency services;

978 (d) mental health;

- 979 (e) physical health and daily living;  
 980 (f) social relationships and personal fulfillment; and  
 981 (g) substance abuse.

982 (5) In providing an individual experiencing homelessness with the services described in this  
 983 part, the service provider shall make the service provider's best effort to preserve the  
 984 individual's ability to thrive and capacity for growth.

985 Section 17. Section **35A-16-901** is enacted to read:

986 **Part 9. Safety Requirements for Homeless Shelters**

987 **35A-16-901 . Safety requirements for homeless shelters -- Requirements --**  
 988 **Prohibitions -- Enforcement and penalties.**

989 (1) As used in this part:

- 990 (a) "Homeless shelter" means a facility that provides or is proposed to provide  
 991 temporary shelter to individuals experiencing homelessness.  
 992 (b) "Homeless shelter" includes a temporary winter response shelter, as that term is  
 993 defined in Section 35A-16-501.

994 (2) To ensure the safety and well-being of homeless shelter residents and staff, and the  
 995 surrounding communities, a service provider of a homeless shelter that receives state or  
 996 federal funding shall have a client agreement that clearly states the service provider's  
 997 policies and procedures to:

- 998 (a) maintain a zero-tolerance policy within the premises of the homeless shelter on the  
 999 use, possession, or distribution of an illegal drug;  
 1000 (b) develop and implement bag check procedures at points of entry and regular searches  
 1001 of personal belongings to ensure the premises of the homeless shelter remain free  
 1002 from prohibited items, including illegal drugs and weapons; and  
 1003 (c) cooperate with law enforcement, including:  
 1004 (i) providing an employee of a law enforcement agency access to the premises to  
 1005 conduct checks for illegal drugs using trained K9 units, based upon reasonable  
 1006 suspicion as determined by the local law enforcement agency; or  
 1007 (ii) providing a client's name and identifying information to an employee of a law  
 1008 enforcement agency to the extent the disclosure is:  
 1009 (A) necessary to avoid a significant risk to public safety;  
 1010 (B) in aid of an ongoing investigation; or  
 1011 (C) as required by state or federal law.  
 1012 (3) A service provider that refuses to comply with this section may be assessed a penalty,

1013 including a fine, suspension of funding, or other penalties that may be assessed by the  
1014 board, or as provided for in state or federal law.

1015 Section 18. Section **63I-2-235** is amended to read:

1016 **63I-2-235 . Repeal dates: Title 35A.**

1017 (1) Section 35A-3-212, Use of COVID-19 relief funds -- Grants to child care providers  
1018 -- Reporting requirements, is repealed June 30, 2025.

1019 (2) Subsection 35A-16-102(15), regarding the Know-by-Name case management system  
1020 pilot program, is repealed July 1, 2026.

1021 (3) Subsection 35A-16-202(1)(c)(iii), regarding the Know-by-Name case management  
1022 system pilot program, is repealed July 1, 2026.

1023 (4) Subsection 35A-16-203(4)(b), regarding the Know-by-Name case management system  
1024 pilot program, is repealed July 1, 2026.

1025 (5) Subsection 35A-16-205(1)(q)(ii), regarding the Know-by-Name case management  
1026 system pilot program, is repealed July 1, 2026.

1027 (6) Subsection 35A-16-801(4), regarding the Know-by-Name case management system  
1028 pilot program, is repealed July 1, 2026.

1029 [~~(1) Section 35A-13-301, Title, is repealed October 1, 2024.~~]

1030 [~~(2) Section 35A-13-302, Governor's Committee on Employment of People with~~  
1031 ~~Disabilities, is repealed October 1, 2024.~~]

1032 Section 19. **Effective Date.**

1033 This bill takes effect on May 7, 2025.