

Tyler Clancy proposes the following substitute bill:

Homeless Services Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Tyler Clancy

Senate Sponsor: Daniel McCay

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;
- 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; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

29 None

30 **Other Special Clauses:**

31 None

32 **Utah Code Sections Affected:**

33 AMENDS:

34 **26B-5-382**, as enacted by Laws of Utah 2024, Chapter 204

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

36 **35A-16-203**, as last amended by Laws of Utah 2024, Chapters 204, 338 and 349

37 **35A-16-204**, as repealed and reenacted by Laws of Utah 2024, Chapter 338

38 **35A-16-205**, as last amended by Laws of Utah 2024, Chapters 204, 338 and 349

39 **35A-16-205.1**, as enacted by Laws of Utah 2024, Chapter 204

40 **35A-16-207**, as last amended by Laws of Utah 2024, Chapter 349

41 **35A-16-208**, as enacted by Laws of Utah 2024, Chapter 338

42 **35A-16-302**, as last amended by Laws of Utah 2024, Chapters 204, 338

43 **35A-16-403**, as last amended by Laws of Utah 2024, Chapters 204, 338

44 **35A-16-501**, as last amended by Laws of Utah 2024, Chapter 438

45 **35A-16-501.5**, as last amended by Laws of Utah 2024, Chapter 338

46 **35A-16-602**, as last amended by Laws of Utah 2024, Chapter 338

47 ENACTS:

48 **35A-16-210.1**, Utah Code Annotated 1953

49 **35A-16-801**, Utah Code Annotated 1953

50 **35A-16-901**, Utah Code Annotated 1953



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

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

54 **26B-5-382 . HOME Court Pilot Program -- Requirements -- Funding --**

55 **Reporting.**

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

58 (2) Subject to appropriations from the Legislature and the assignment of a judge to preside
59 over the proceedings, the Third Judicial District Court of Salt Lake County shall
60 establish and administer a HOME Court Pilot Program beginning October 1, 2024, and
61 ending June 30, 2029, that provides for comprehensive and individualized,
62 court-supervised treatment and services to individuals with mental illness.

- 63 (3) The pilot program shall:
- 64 (a) allow a person to petition the court for an order requiring an individual's participation
- 65 in the pilot program;
- 66 (b) require the court to substitute the local mental health authority as the petitioner if the
- 67 initial petitioner is not the local mental health authority;
- 68 (c) provide an opportunity for the parties to enter into an agreement regarding an
- 69 individual's participation in the pilot program, including a treatment plan, prior to a
- 70 court order under Subsection (3)(e);
- 71 (d) provide for a hearing at which information is presented to determine whether an
- 72 individual qualifies for court-ordered participation in the pilot program as provided in
- 73 Subsection (3)(e);
- 74 (e) require the court to order an individual to participate in the pilot program if, upon
- 75 completion of the hearing described in Subsection (3)(d), the court finds by clear and
- 76 convincing evidence that:
- 77 (i) the individual resides or may be presently found within Salt Lake County;
- 78 (ii) the individual has a mental illness;
- 79 (iii) because of the individual's mental illness, the individual:
- 80 (A) is unlikely to survive or remain safe without supervision, assistance, or
- 81 services; or
- 82 (B) meets the criteria described in Subsection 26B-5-351(14)(c)(i) or (ii);
- 83 (iv) there is no appropriate less-restrictive alternative to a court order for participation
- 84 in the pilot program;
- 85 (v) the individual is likely to benefit from participation in the pilot program; and
- 86 (vi) there is adequate capacity within the pilot program to meet the individual's need
- 87 for services described in Subsection (3)(f);
- 88 (f) upon the court's order for an individual to participate in the pilot program, require the
- 89 local mental health authority to prepare a comprehensive and individualized
- 90 treatment plan, for approval by the court, that includes the following components for
- 91 the individual to successfully achieve the purposes of the pilot program:
- 92 (i) mental health services;
- 93 (ii) housing resources;
- 94 (iii) social services;
- 95 (iv) case management;
- 96 (v) peer support;

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

- 131 incurred by the multidisciplinary team described in Subsection (5)(b)(ii)(B), shall be
 132 paid by Salt Lake County.
- 133 (b) If the Legislature appropriates money to the division for implementation of the pilot
 134 program, the division shall:
- 135 (i) require the local mental health authority, as part of the plan required under
 136 Subsection 17-43-301(6)(a)(ii), to submit to the division a proposal for
 137 implementation of the pilot program on or before May 15 of each year;
- 138 (ii) review the proposal described in Subsection (5)(b)(i) to ensure that the proposal:
 139 (A) meets the requirements of this section; and
 140 (B) establishes a multidisciplinary team, with a sufficient number of stakeholders,
 141 to adequately address the provision of treatment and services under the pilot
 142 program;
- 143 (iii) upon approval of the proposal described in Subsection (5)(b)(i), contract funds
 144 appropriated for the pilot program with the local mental health authority; and
 145 (iv) conduct an annual audit and review of the local mental health authority, and any
 146 contracted provider, regarding the use of funds appropriated for the pilot program.
- 147 (c) The matching requirement in Subsection 17-41-301(6)(a)(x) does not apply to funds
 148 appropriated by the Legislature for the pilot program.
- 149 (d) Subject to appropriation by the Legislature, Salt Lake County may:
- 150 (i) apply to the division to receive funds to cover the county's costs under the pilot
 151 program; and
 152 (ii) pay county contributions to the nonfederal share of Medicaid expenditures with
 153 funds appropriated for the pilot program.

154 (6) The department shall:

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

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

162 **35A-16-102 . Definitions.**

163 As used in this chapter:

- 164 (1) "Board" means the Utah Homeless Services Board created in Section 35A-16-204.

- 165 (2) "Client" means an individual who is experiencing homelessness or an individual at risk
 166 of becoming homeless.
- 167 (3) "Chief executive officer" means the same as that term is defined in Section 11-51-102.
- 168 (4) "Collaborative applicant" means the entity designated by a continuum of care to collect
 169 and submit data and apply for funds on behalf of the continuum of care, as required by
 170 the United States Department of Housing and Urban Development.
- 171 (5) "Continuum of care" means a regional or local planning body designated by the United
 172 States Department of Housing and Urban Development to coordinate services for
 173 individuals experiencing homelessness within an area of the state.
- 174 (6) "Coordinator" means the state homelessness coordinator appointed under Section
 175 63J-4-202.
- 176 (7) "County of the first class" means the same as that term is defined in Section 17-50-501.
- 177 (8) "County of the second class" means the same as that term is defined in Section
 178 17-50-501.
- 179 (9) "Eligible services" means any activities or services that mitigate the impacts of the
 180 location of an eligible shelter, including direct services, public safety services, and
 181 emergency services, as further defined by rule made by the office in accordance with
 182 Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- 183 [(7)] (10) "Executive committee" means the executive committee of the board.
- 184 [(8)] (11) "Exit destination" means:
- 185 (a) a homeless situation;
- 186 (b) an institutional situation;
- 187 (c) a temporary housing situation;
- 188 (d) a permanent housing situation; or
- 189 (e) other.
- 190 [(9)] (12) "First-tier eligible municipality" means a municipality that:
- 191 (a) is located within a county of the first or second class;
- 192 (b) as determined by the office, has or is proposed to have an eligible shelter within the
 193 municipality's geographic boundaries within the following fiscal year;
- 194 (c) due to the location of an eligible shelter within the municipality's geographic
 195 boundaries, requires eligible services; and
- 196 (d) is certified as a first-tier eligible municipality in accordance with Section 35A-16-404.
- 197 [(10)] (13) "Homeless Management Information System" or "HMIS" means an information
 198 technology system that:

- 199 (a) is used to collect client-level data and data on the provision of housing and services
200 to homeless individuals and individuals at risk of homelessness in the state; and
- 201 (b) meets the requirements of the United States Department of Housing and Urban
202 Development.
- 203 ~~[(11)]~~ (14) "Homeless services budget" means the comprehensive annual budget and
204 overview of all homeless services available in the state described in Subsection
205 35A-16-203(1)(b).
- 206 ~~[(12)]~~ (15) "Local homeless council" means a local planning body designated by the steering
207 committee to coordinate services for individuals experiencing homelessness within an
208 area of the state.
- 209 ~~[(13)]~~ (16) "Office" means the Office of Homeless Services.
- 210 (17) "Residential, vocational and life skills program" means the same as that term is defined
211 in Section 13-53-102.
- 212 ~~[(14)]~~ (18) "Second-tier eligible municipality" means a municipality that:
- 213 (a) is located within a county of the third, fourth, fifth, or sixth class;
- 214 (b) as determined by the office, has or is proposed to have an eligible shelter within the
215 municipality's geographic boundaries within the following fiscal year;
- 216 (c) due to the location of an eligible shelter within the municipality's geographic
217 boundaries, requires eligible services; and
- 218 (d) is certified as a second-tier eligible municipality in accordance with Section
219 35A-16-404.
- 220 ~~[(15)]~~ (19)(a) "Service provider" means a state agency, a local government, or a private
221 organization that provides services to clients.
- 222 (b) "Service provider" includes a correctional facility and the Administrative Office of
223 the Courts.
- 224 ~~[(16)]~~ (20) "Steering committee" means the Utah Homeless Network Steering Committee
225 created in Section 35A-16-206.
- 226 ~~[(17)]~~ (21) "Strategic plan" means the statewide strategic plan to minimize homelessness in
227 the state described in Subsection 35A-16-203(1)(c).
- 228 ~~[(18)]~~ (22) "Type of homelessness" means:
- 229 (a) chronic homelessness;
- 230 (b) episodic homelessness;
- 231 (c) situational homelessness; or
- 232 (d) family homelessness.

233 Section 3. Section **35A-16-203** is amended to read:

234 **35A-16-203 . Powers and duties of the coordinator.**

235 (1) The coordinator shall:

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

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

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

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

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

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

249 (iii) Homeless Shelter Cities Mitigation Restricted Account created in Section
250 35A-16-402;

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

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

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

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

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

265 (a) outlines specific goals and measurable benchmarks for minimizing homelessness in
266 the state and for coordinating services for individuals experiencing homelessness

- 267 among all service providers in the state;
- 268 (b) identifies best practices or innovative strategies and recommends improvements to
269 the provision of services to individuals experiencing homelessness in the state to
270 ensure the services are provided in a safe, cost-effective, and efficient manner;
- 271 (c) identifies best practices or innovative strategies and recommends improvements in
272 coordinating the delivery of services to the variety of populations experiencing
273 homelessness in the state, including through the use of electronic databases and
274 improved data sharing among all service providers in the state;
- 275 (d) identifies gaps and recommends solutions in the delivery of services to the variety of
276 populations experiencing homelessness in the state; and
- 277 (e) takes into consideration the success of the HOME Court Pilot Program established in
278 Section 26B-5-382.
- 279 (4) In overseeing funding for the provision of homeless services as described in Subsection
280 (1)(d), the coordinator:
- 281 (a) shall prioritize the funding of programs and providers that have a documented history
282 of successfully reducing the number of individuals experiencing homelessness,
283 reducing the time individuals spend experiencing homelessness, moving individuals
284 experiencing homelessness to permanent housing, or reducing the number of
285 individuals who return to experiencing homelessness;
- 286 (b) except for a program or provider providing services to victims of domestic violence,
287 may not approve funding to a program or provider that does not enter into a written
288 agreement with the office to collect and share HMIS data regarding the provision of
289 services to individuals experiencing homelessness so that the provision of services
290 can be coordinated among state agencies, local governments, and private
291 organizations; and
- 292 (c) if the [~~homelessness council~~] board has approved a funding formula developed by the
293 steering committee, as described in Section 35A-16-205:
- 294 (i) except as provided in Subsection (4)(c)(ii), shall utilize that funding formula in
295 disbursing funds for the provision of homeless services; and
- 296 (ii) shall ensure that any federal funds not subject to the funding formula are
297 disbursed in accordance with any applicable federal requirements.
- 298 (5) In cooperation with the board, the coordinator shall update the annual statewide budget
299 and the strategic plan described in this section on an annual basis.
- 300 (6)(a) On or before October 1, the coordinator shall provide a written report to the

301 department for inclusion in the department's annual written report described in
302 Section 35A-1-109.

303 (b) The written report shall include:

304 (i) the homeless services budget;

305 (ii) the strategic plan;

306 (iii) recommendations regarding improvements to coordinating and providing
307 services to individuals experiencing homelessness in the state;

308 (iv) in coordination with the board, a complete accounting of the office's
309 disbursement of funds during the previous fiscal year from:

310 (A) the Pamela Atkinson Homeless Account created in Section 35A-16-301;

311 (B) the Homeless to Housing Reform Restricted Account created in Section
312 35A-16-303;

313 (C) the Homeless Shelter Cities Mitigation Restricted Account created in Section
314 35A-16-402;

315 (D) the COVID-19 Homeless Housing and Services Grant Program created in
316 Section 35A-16-602; and

317 (E) any other grant program created in statute that is administered by the office;
318 and

319 (v) the data described in Section 35A-16-211.

320 Section 4. Section **35A-16-204** is amended to read:

321 **35A-16-204 . Utah Homeless Services Board.**

322 (1) There is created within the office the Utah Homeless Services Board.

323 (2)(a) The board shall consist of the following members:

324 (i) a representative, appointed by the speaker of the House of Representatives;

325 (ii) a representative, appointed by the president of the Senate;

326 (iii) a private sector representative, appointed by the governor;

327 (iv) a representative, appointed by the governor;

328 (v) a statewide philanthropic leader, appointed by the Utah Impact Partnership or the
329 partnership's successor organization;

330 (vi) the mayor of Salt Lake City;

331 (vii) the chief executive officer appointed by the Shelter Cities Advisory Council in
332 accordance with Section 35A-16-210;

333 (viii) an individual with lived experience of homelessness, appointed by the chair of
334 the board;

- 335 ~~[(viii) an elected official appointed by the Utah Association of Counties or the~~
336 ~~association's successor organization;]~~
- 337 (ix) ~~[a county employee who oversees behavioral health,]~~ a representative, appointed
338 by the Utah Association of Counties or the association's successor organization;
339 (x) an individual who represents the Utah Homeless Network; and
340 (xi) the coordinator.
- 341 (b) The governor shall select a board member to serve as chair of the board.
- 342 (3) The following four members of the board shall serve as the executive committee:
- 343 (a) the coordinator; and
344 (b) three board members chosen by the board chair, which shall include one of the
345 members described in Subsection (2)(a)(vi) or (2)(a)(vii).
- 346 (4)(a) The board shall meet at least once per calendar quarter.
- 347 (b) The chair, the coordinator, or three of the board members may call a board meeting.
348 (c) The individual calling the meeting shall provide notice of the meeting to the board
349 members at least three calendar days in advance of the meeting.
- 350 (5) A majority of the voting members of the board constitutes a quorum of the board at any
351 meeting, and the action of the majority of voting members present constitutes the action
352 of the board.
- 353 (6)(a) A majority of members of the executive committee constitutes a quorum of the
354 executive committee at any meeting, and the action of the majority of members
355 present constitutes the action of the executive committee.
- 356 (b) The executive committee is exempt from the requirements described in Title 52,
357 Chapter 4, Open and Public Meetings Act.
- 358 (7)(a) Except as required by Subsection (7)(c):
- 359 (i) each appointed member of the board, other than a board member described in
360 Subsection (2)(a)(vii), shall serve a four-year term; and
361 (ii) the board member appointed in accordance with Subsection (2)(a)(vii) shall serve
362 a two-year term.
- 363 (b) A board member may serve more than one term.
- 364 (c) The appointing authority, at the time of appointment or reappointment, may adjust
365 the length of terms to ensure that the terms of board members are staggered so that
366 approximately half of the appointed board members are appointed every two years.
- 367 (8) When a vacancy occurs in the appointed membership for any reason, the replacement is
368 appointed for the unexpired term.

- 369 (9)(a) Except as described in Subsection (9)(b), a member may not receive
370 compensation or benefits for the member's service but may receive per diem and
371 travel expenses in accordance with:
- 372 (i) Section 63A-3-106;
 - 373 (ii) Section 63A-3-107; and
 - 374 (iii) rules made by the Division of Finance in accordance with Sections 63A-3-106
375 and 63A-3-107.
- 376 (b) Compensation and expenses of a board member who is a legislator are governed by
377 Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and
378 Expenses.
- 379 (10) The office shall provide staff and administrative support to the board.
380 Section 5. Section **35A-16-205** is amended to read:
381 **35A-16-205 . Duties of the board.**
- 382 (1) The board:
- 383 (a) shall provide final approval for:
 - 384 (i) a funding formula developed by the steering committee under Section 35A-16-211;
 - 385 (ii) the homeless services budget;
 - 386 (iii) the strategic plan; and
 - 387 (iv) the awarding of funding for the provision of homeless services as described in
388 Subsection 35A-16-203(1)(d);
 - 389 (b) in cooperation with the coordinator, shall:
 - 390 (i) develop and maintain the homeless services budget;
 - 391 (ii) develop and maintain the strategic plan; and
 - 392 (iii) review applications and approve funding for the provision of homeless services
393 in the state as described in Subsection 35A-16-203(1)(d);
 - 394 (c) shall review local and regional plans for providing services to individuals
395 experiencing homelessness;
 - 396 (d) shall cooperate with local homeless councils to:
 - 397 (i) develop a common agenda and vision for reducing homelessness in each local
398 oversight body's respective region;
 - 399 (ii) as part of the homeless services budget, develop a spending plan that coordinates
400 the funding supplied to local stakeholders; and
 - 401 (iii) align local funding to projects that improve outcomes and target specific needs in
402 each community;

- 403 (e) shall coordinate gap funding with private entities for providing services to
404 individuals experiencing homelessness;
- 405 (f) shall recommend performance and accountability measures for service providers,
406 including the support of collecting consistent and transparent data;
- 407 (g) when reviewing and giving final approval for requests as described in Subsection
408 35A-16-203(1)(d):
- 409 (i) may only recommend funding if the proposed recipient has a policy to share
410 client-level service information with other entities in accordance with state and
411 federal law to enhance the coordination of services for individuals who are
412 experiencing homelessness; and
- 413 (ii) shall identify specific targets and benchmarks that align with the strategic plan for
414 each recommended award;
- 415 (h) shall regularly update the state strategic plan on homelessness to reflect:
- 416 (i) trends in homelessness as identified by the review of:
- 417 (A) local data; and
- 418 (B) performance and accountability metrics in accordance with this section; and
- 419 (ii) proven strategies to reduce homelessness among:
- 420 [(i)] (A) the unsheltered;
- 421 [(ii)] (B) the chronically or episodically homeless; and
- 422 [(iii)] (C) the situationally homeless;
- 423 (i) shall develop annual state and local goals for reducing homelessness among the target
424 subpopulations identified by the board;
- 425 (j) shall work with the local homeless councils to carry out the requirements of
426 Subsection 35A-16-211(3);
- 427 (k) shall develop metrics for measuring the effectiveness of providers in assisting clients
428 to successfully progress through the services coordinated by a continuum of care;
- 429 (l) shall create best practices or innovative strategies for a service provider to administer
430 services to an individual experiencing homelessness, including promotion of:
- 431 (i) a recognition of the human dignity of clients served;
- 432 (ii) a need to develop self-reliance;
- 433 (iii) the value of work;
- 434 (iv) personal accountability; and
- 435 (v) personal progress toward greater personal independence;
- 436 (m) shall make recommendations for uniform standards for enforcing pedestrian safety

- 437 and unsanctioned camping laws and ordinances;
- 438 (n) shall identify best practices or innovative strategies for responding to unsheltered
439 individuals experiencing mental health disorder and substance use disorder;
- 440 (o) shall make recommendations for strategies to reduce illegal drug use within
441 homeless shelters, transitional housing, and permanent supportive housing;
- 442 (p) shall facilitate client connection to alternative support systems, including behavioral
443 health services, addiction recovery, and residential services;
- 444 (q) shall facilitate participation in HMIS, where appropriate and in alignment with
445 established HMIS policies, and data sharing agreements among all participants in a
446 client support network, including homeless services, physical health systems, mental
447 health systems, and the criminal justice system;
- 448 (r) shall make recommendations to the office for defining "successful exit,"
449 "unsuccessful exit," and "neutral exit";
- 450 (s) shall evaluate additional opportunities for the office to become a collaborative
451 applicant;
- 452 (t) shall coordinate with the continuums of care to provide for cooperative distribution of
453 available funding;
- 454 (u) shall work in conjunction with the executive directors of the Department of
455 Workforce Services, the Department of Health and Human Services, and the
456 Department of Corrections to create best practices or innovative strategies for helping
457 individuals exiting from incarceration or an institution to avoid homelessness; and
- 458 (v) shall establish standards for the prioritization of beds located in homeless shelters in
459 accordance with Section 35A-16-205.1.

460 (2)(a) In approving a funding formula, as described in Subsection (1)(a)(i), the board
461 shall take action on a proposed funding formula by a two-thirds vote.

462 (b) If the board cannot approve a proposed funding formula, the board shall refer the
463 proposed funding formula back to the steering committee for further consideration.

464 (3)(a) The executive committee shall act in an advisory capacity for the board and make
465 recommendations regarding the board's duties under Subsection (1).

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

468 Section 6. Section **35A-16-205.1** is amended to read:

469 **35A-16-205.1 . Utah Homeless Services Board to establish standards for the**
470 **prioritization of homeless shelter beds -- Dissemination -- Compliance with standards**

471 **required for receipt of state funds.**

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

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

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

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

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

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

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

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

490 Section 7. Section **35A-16-207** is amended to read:

491 **35A-16-207 . Duties of the steering committee.**

492 (1) The steering committee shall:

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

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

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

499 (d) educate the general public and other interested persons regarding the needs,
500 challenges, and opportunities for individuals experiencing homelessness; and

501 (e) make recommendations to the [~~homelessness council~~] board regarding the awarding
502 of funding for the provision of homeless services as described in Subsection
503 35A-16-203(1)(d).

504 (2) The steering committee shall, in consultation with members of the [~~homelessness~~

505 council] board, the office, members of local [homelessness] homeless councils, and the
506 coordinator, develop a funding formula as described in Section 35A-16-211.

507 Section 8. Section **35A-16-208** is amended to read:

508 **35A-16-208 . Reporting requirements -- Outcome measures.**

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

- 510 (i) the state's year-to-date progress toward reaching a functional zero level of
511 homelessness for each type of homelessness and subpopulation, including:
512 (A) the number of individuals who are homeless for the first time;
513 (B) the number of individuals who returned to homelessness after having exited
514 homelessness within the two previous years;
515 (C) the number of individuals who remained homeless since the last report;
516 (D) the number of individuals experiencing homelessness since the last report by
517 household type;
518 (E) the number of individuals who exited by exit destination; and
519 (F) the number of individuals who are experiencing homelessness for the first time
520 plus the number of individuals who are returning to homelessness minus the
521 number of individuals who are exiting homelessness;
- 522 (ii) the percentage of individuals experiencing homelessness who:
523 (A) have a mental health disorder;
524 (B) have a substance use disorder;
525 (C) have a chronic health condition;
526 (D) have a physical disability;
527 (E) have a developmental disability;
528 (F) have HIV/AIDS;
529 (G) are survivors of domestic violence;
530 (H) are veterans; and
531 (I) are unaccompanied youth 24 years old or younger;
- 532 (iii) the number of individuals who exited homeless services since the last report by:
533 (A) type of homelessness;
534 (B) subpopulation; and
535 (C) exit destination; and
- 536 (iv) progress, by project type, on each goal established in accordance with Subsection
537 (3).
- 538 (b) The reports described in this Subsection (1) shall contain aggregated, de-identified

- 539 information.
- 540 (2) The office shall report the data described in Subsection (1):
- 541 (a) in the annual report required by Section 35A-16-203;
- 542 (b) on or before October 1 of each year, through an oral presentation to the Economic
- 543 Development and Workforce Services Interim Committee; and
- 544 (c) on a data dashboard for the public with specific additional data points recommended
- 545 by the board.
- 546 (3) The board and the local homeless councils shall jointly establish quarterly goals for
- 547 each project type.
- 548 (4) The board and the local homeless councils shall jointly make annual progress reports
- 549 identifying:
- 550 (a) the percentage of clients:
- 551 (i) screened for social needs; and
- 552 (ii) referred for services that match the clients' social needs;
- 553 (b) the percentage of clients subsequently referred to community-based providers who
- 554 can:
- 555 (i) address the client's needs;
- 556 (ii) follow-up on status of addressing the client's needs; and
- 557 (iii) report back to the referring entity;
- 558 (c) the number of youth receiving parent or guardian bereavement support services; and
- 559 (d) the number of clients with:
- 560 (i) a successful exit;
- 561 (ii) an unsuccessful exit;
- 562 (iii) a neutral exit; and
- 563 (iv) continued enrollment in the project.

564 Section 9. Section **35A-16-210.1** is enacted to read:

565 **35A-16-210.1 . Shelter Counties Advisory Board.**

- 566 (1) There is established the Shelter Counties Advisory Board.
- 567 (2) The Shelter Counties Advisory Board shall consist of the chief executive officer of each
- 568 county that maintains a homeless shelter year round, or the chief executive officer's
- 569 designee.
- 570 (3) The Shelter Counties Advisory Board may make recommendations to the board
- 571 regarding improvements to coordinating and providing services to individuals
- 572 experiencing homelessness in the state.

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

575 Section 10. Section **35A-16-302** is amended to read:

576 **35A-16-302 . Uses of Homeless to Housing Reform Restricted Account.**

- 577 (1) The board may award ongoing or one-time grants or contracts funded from the
578 Homeless to Housing Reform Restricted Account created in Section 35A-16-303.
- 579 (2) As a condition of receiving money, including any ongoing money, from the restricted
580 account, an entity awarded a grant or contract under this section shall provide detailed
581 and accurate reporting on at least an annual basis to the board and the coordinator that
582 describes:
- 583 (a) how money provided from the restricted account has been spent by the entity; and
 - 584 (b) the progress towards measurable outcome-based benchmarks agreed to between the
585 entity and the board before the awarding of the grant or contract.
- 586 (3) In determining the awarding of a grant or contract under this section, the board and the
587 coordinator shall:
- 588 (a) ensure that the services to be provided through the grant or contract will be provided
589 in a cost-effective manner;
 - 590 (b) give priority to a project or contract that will include significant additional or
591 matching funds from a private organization, nonprofit organization, or local
592 government entity;
 - 593 (c) ensure that the project or contract will target the distinct housing needs of one or
594 more at-risk or homeless subpopulations, which may include:
 - 595 (i) families with children;
 - 596 (ii) transitional-aged youth;
 - 597 (iii) single men or single women;
 - 598 (iv) veterans;
 - 599 (v) victims of domestic violence;
 - 600 (vi) individuals with behavioral health disorders, including mental health or
601 substance use disorders;
 - 602 (vii) individuals who are medically frail or terminally ill;
 - 603 (viii) individuals exiting prison or jail; or
 - 604 (ix) individuals who are homeless without shelter;
 - 605 (d) consider whether the project will address one or more of the following goals:
 - 606 (i) diverting homeless or imminently homeless individuals and families from

- 607 emergency shelters by providing better housing-based solutions;
- 608 (ii) meeting the basic needs of homeless individuals and families in crisis;
- 609 (iii) providing homeless individuals and families with needed stabilization services;
- 610 (iv) decreasing the state's homeless rate;
- 611 (v) implementing a coordinated entry system with consistent assessment tools to
- 612 provide appropriate and timely access to services for homeless individuals and
- 613 families;
- 614 (vi) providing access to caseworkers or other individualized support for homeless
- 615 individuals and families;
- 616 (vii) encouraging employment and increased financial stability for individuals and
- 617 families being diverted from or exiting homelessness;
- 618 (viii) creating additional affordable housing for state residents;
- 619 (ix) providing services and support to prevent homelessness among at-risk
- 620 individuals and adults;
- 621 (x) providing services and support to prevent homelessness among at-risk children,
- 622 adolescents, and young adults;
- 623 (xi) preventing the reoccurrence of homelessness among individuals and families
- 624 exiting homelessness; and
- 625 (xii) providing medical respite care for homeless individuals where the homeless
- 626 individuals can access medical care and other supportive services; and
- 627 (e) address the needs identified in the strategic plan described in Section 35A-16-203 for
- 628 inclusion in the annual written report described in Section 35A-1-109.
- 629 (4) In addition to the other provisions of this section, in determining the awarding of a grant
- 630 or contract under this section to design, build, create, or renovate a facility that will
- 631 provide shelter or other resources for the homeless, the board, with the concurrence of
- 632 the coordinator, may consider whether the facility will be:
- 633 (a) located near mass transit services;
- 634 (b) located in an area that meets or will meet all zoning regulations before a final
- 635 dispersal of funds;
- 636 (c) safe and welcoming both for individuals using the facility and for members of the
- 637 surrounding community; and
- 638 (d) located in an area with access to employment, job training, and positive activities.
- 639 (5) In accordance with Subsection (4), and subject to the approval of the board, with the
- 640 concurrence of the coordinator, the following may recommend a site location, acquire a

- 641 site location, and hold title to real property, buildings, fixtures, and appurtenances of a
642 facility that provides or will provide shelter or other resources for the homeless:
- 643 (a) the county executive of a county of the first class on behalf of the county of the first
644 class, if the facility is or will be located in the county of the first class in a location
645 other than Salt Lake City;
 - 646 (b) the state;
 - 647 (c) a nonprofit entity approved by the board, with the concurrence of the coordinator; and
 - 648 (d) a mayor of a municipality on behalf of the municipality where a facility is or will be
649 located.

650 (6)(a) If a homeless shelter commits to provide any amount of matching funds under this
651 Subsection (6), the board, with the concurrence of the coordinator, may award a grant
652 for the ongoing operations of the homeless shelter.

653 (b) In awarding a grant under this Subsection (6), the board, with the concurrence of the
654 coordinator, shall consider:

655 (i) the number of beds available at the homeless shelter;

656 (ii) the number and quality of the homeless services provided by the homeless
657 shelter; and

658 (iii) the amount of matching funds provided by the homeless shelter.

659 (7)(a) To meet the goals described in Subsection (3), the office may expend money from
660 the restricted account to provide individuals experiencing homelessness
661 transportation costs to connect the individual with a support network outside of the
662 state.

663 (b) A service provider that applies for a grant award for the purposes described under
664 Subsection (7)(a) shall provide the office with a detailed report that includes:

665 (i) the name and address of the person to provide support services for the individual
666 experiencing homelessness; and

667 (ii) the transportation costs that the individual experiencing homelessness may require.

668 (8) The office may expend money from the restricted account to offset actual office and
669 board expenses related to administering this section.

670 Section 11. Section **35A-16-403** is amended to read:

671 **35A-16-403 . Eligible municipality application process for Homeless Shelter**
672 **Cities Mitigation Restricted Account funds.**

673 (1) An eligible municipality may apply for account funds to mitigate the impacts of the
674 location of an eligible shelter through the provision of eligible services within the

- 675 eligible municipality's boundaries.
- 676 (2)(a) The board shall set aside time on the agenda of a board meeting that occurs before
677 the beginning of the next fiscal year to allow an eligible municipality to present a
678 request for account funds for that next fiscal year.
- 679 (b) An eligible municipality may present a request for account funds by:
- 680 (i) sending an electronic copy of the request to the board before the meeting; and
681 (ii) appearing at the meeting to present the request.
- 682 (c) The request described in Subsection (2)(b)(i) shall contain:
- 683 (i) a proposal outlining the need for eligible services, including a description of each
684 eligible service for which the eligible municipality requests account funds;
685 (ii) a description of the eligible municipality's proposed use of account funds;
686 (iii) a description of the outcomes that the funding would be used to achieve,
687 including indicators that would be used to measure progress toward the specified
688 outcomes; and
689 (iv) the amount of account funds requested.
- 690 (d)(i) On or before September 30, an eligible municipality that received account
691 funds during the previous fiscal year shall file electronically with the board a
692 report that includes:
- 693 (A) a summary of the amount of account funds that the eligible municipality
694 expended and the eligible municipality's specific use of those funds;
695 (B) an evaluation of the eligible municipality's effectiveness in using the account
696 funds to address the eligible municipality's needs due to the location of an
697 eligible shelter;
698 (C) an evaluation of the eligible municipality's progress regarding the outcomes
699 and indicators described in Subsection (2)(c)(iii); and
700 (D) any proposals for improving the eligible municipality's effectiveness in using
701 account funds that the eligible municipality may receive in future fiscal years.
- 702 (ii) The board may request additional information as needed to make the evaluation
703 described in Subsection (2)(e).
- 704 (e) The board shall evaluate a request made in accordance with this Subsection (2) and
705 may take the following factors into consideration in determining whether to approve
706 or deny the request:
- 707 (i) the strength of the proposal that the eligible municipality provided to support the
708 request;

- 709 (ii) if the eligible municipality received account funds during the previous fiscal year,
710 the efficiency with which the eligible municipality used any account funds during
711 the previous fiscal year;
- 712 (iii) the availability of funding for the eligible municipality under Subsection
713 35A-16-402(4);
- 714 (iv) the availability of alternative funding for the eligible municipality to address the
715 eligible municipality's needs due to the location of an eligible shelter; and
716 (v) any other considerations identified by the board.
- 717 (f) After making the evaluation described in Subsection (2)(e), and subject to Subsection
718 (2)(g), the board shall vote to either approve or deny an eligible municipality's
719 request for account funds.
- 720 (g)(i) In addition to the evaluation under Subsection (2)(e), the board may not
721 approve an eligible municipality's request to receive account funds under this
722 section unless the eligible municipality:
- 723 (A) enforces an ordinance that prohibits camping;
- 724 (B) enforces an ordinance or other applicable state law prohibiting conduct that
725 impedes or blocks traffic in violation of Subsection 41-6a-1009(4); and
726 (C) demonstrates improvement in reducing the conduct described in Subsections
727 (2)(g)(i)(A) and (B).
- 728 (ii) In determining whether an eligible municipality has demonstrated improvement
729 under Subsection (2)(g)(i)(C), the board shall consider:
- 730 (A) the specific measures taken by the municipality to reduce the conduct
731 described in Subsections (2)(g)(i)(A) and (B), and the effectiveness of those
732 measures in reducing the conduct;
- 733 (B) the strategies utilized by the municipality in managing and improving public
734 spaces within the municipality, and the impact of these strategies on safety,
735 cleanliness, and the well-being of the community; and
- 736 (C) the gap between the number of individuals experiencing homelessness within
737 the municipality and the availability of beds at homeless shelters to which the
738 individuals experiencing homelessness have reasonable access, and any
739 changes to this gap over time.
- 740 (iii) The board [~~may~~] shall coordinate with the Department of Public Safety for the
741 receipt of quantitative and qualitative data to determine compliance with
742 applicable state and local laws.

743 (iv) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
 744 and with the approval of the board, the office shall make rules establishing
 745 standards for the information required by an eligible municipality to demonstrate
 746 improvement under Subsection (2)(g)(i)(C).

747 (h) If the board approves an eligible municipality's request to receive account funds
 748 under Subsection (2)(f), the office, subject to appropriation, shall calculate the
 749 amount of funds for disbursement to the eligible municipality under Subsection
 750 35A-16-402(4).

751 (3) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
 752 office shall make rules governing the process for calculating the amount of funds that an
 753 eligible municipality may receive under Subsection 35A-16-402(4).

754 Section 12. Section **35A-16-501** is amended to read:

755 **35A-16-501 . Definitions.**

756 As used in this part:

757 (1) "Applicable county" means a county of the first or second class.

758 (2) "Applicable local homeless council" means the local homeless council that is
 759 responsible for coordinating homeless response within an applicable county.

760 (3) "Board" means the Utah Homeless Services Board created in Section 35A-16-204.

761 [~~3~~] (4) "Capacity limit" means a limit as to the number of individuals that a homeless
 762 shelter may provide overnight shelter to under a conditional use permit.

763 [~~4~~] (5) "Chief executive officer" means the same as that term is defined in Section
 764 11-51-102.

765 [~~5~~] (6) "Community location" means the same as that term is defined in Section 10-8-41.6.

766 [~~6~~] (7) "Conference of mayors" means an association consisting of the mayor of each
 767 municipality located within a county.

768 [~~7~~] (8) "Council of governments" means the same as that term is defined in Section
 769 72-2-117.5.

770 [~~8~~] (9) "County winter response task force" or "task force" means a task force described in
 771 Section 35A-16-501.5.

772 [~~9~~] (10) "Homeless shelter" means a facility that:

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

774 (b) operates year-round; and

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

776 [~~10~~] (11) "Municipality" means a city or town.

777 [(11)] (12) "State facility" means the same as that term is defined in Section 63A-5b-1001.

778 [(12)] (13) "Subsequent winter response period" means the winter response period that
779 begins on October 15 of the year in which a county winter response task force is
780 required to submit a winter response plan to the office under Section 35A-16-502.

781 [(13)] (14) "Targeted winter response bed count" means the targeted bed count number for
782 an applicable county during the winter response period, as determined jointly by the
783 applicable local homeless council and the office.

784 [(14)] (15) "Temporary winter response shelter" means a facility that:

785 (a) provides temporary emergency shelter to individuals experiencing homelessness
786 during a winter response period; and

787 (b) does not operate year-round.

788 [(15)] (16) "Winter response period" means the period beginning October 15 and ending
789 April 30 of the following year.

790 [(16)] (17) "Winter response plan" means the plan described in Section 35A-16-502.

791 Section 13. Section **35A-16-501.5** is amended to read:

792 **35A-16-501.5 . County winter response task force.**

793 (1) [~~Subject to the requirements of Section 35A-16-502, the~~] The council of governments of
794 each applicable county shall annually convene a county winter response task force to
795 advise and provide recommendations to the board concerning the needs of homeless
796 individuals during a winter response period, including recommendations for site
797 selection of a temporary winter response shelter.

798 (2)(a) The task force for Salt Lake County shall consist of the following 14 voting
799 members:

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

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

804 (A) Draper;

805 (B) Midvale;

806 (C) Millcreek;

807 (D) Murray;

808 (E) Salt Lake City;

809 (F) Sandy;

810 (G) South Jordan;

- 811 (H) South Salt Lake;
- 812 (I) Taylorsville;
- 813 (J) West Jordan; and
- 814 (K) West Valley City; and
- 815 (iii) the chief executive officer, or the chief executive officer's designee, of any two
- 816 municipalities located in Salt Lake County that are not described in Subsection
- 817 (2)(a)(ii), appointed by the conference of mayors of Salt Lake County.
- 818 (b) A task force for an applicable county not described in Subsection (2)(a) shall consist
- 819 of the following voting members:
- 820 (i) ~~[the chief executive officer of the applicable county, or the chief executive~~
- 821 ~~officer's designee]~~ an officer of the applicable county nominated by the county
- 822 governing body; and
- 823 (ii) the chief executive officer, or the chief executive officer's designee, of a number
- 824 of municipalities located in the applicable county that the conference of mayors of
- 825 the applicable county considers to be appropriate, appointed by the conference of
- 826 mayors of the applicable county.
- 827 (3) In addition to the voting members required in Subsection (2), a task force shall include
- 828 the following nonvoting members:
- 829 (a) the coordinator, or the coordinator's designee;
- 830 (b) one representative of the Utah League of Cities and Towns, appointed by the Utah
- 831 League of Cities and Towns, or the representative's designee;
- 832 (c) one representative of the Utah Association of Counties, appointed by the Utah
- 833 Association of Counties, or the representative's designee;
- 834 (d) two individuals experiencing homelessness or having previously experienced
- 835 homelessness, appointed by the ~~[applicable local homeless council]~~ voting members
- 836 of the task force;
- 837 (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
- 838 the task force;~~and]~~
- 839 (f) one representative from a local public safety entity appointed by the voting members
- 840 of the task force; and
- 841 ~~[(f)]~~ (g) any other individual appointed by the council of governments of the applicable
- 842 county.
- 843
- 844 (4)(a) Any vacancy on a task force shall be filled in the same manner as the appointment

- 845 of the member whose vacancy is being filled.
- 846 (b) Each member of a task force shall serve until a successor is appointed.
- 847 (5) A majority of the voting members of a task force constitutes a quorum and may act on
848 behalf of the task force.
- 849 (6) A task force shall:
- 850 (a) select officers from the task force's members as the task force finds necessary; and
- 851 (b) meet as necessary to effectively conduct the task force's business and duties as
852 prescribed by statute.
- 853 (7) A task force may establish one or more working groups as is deemed appropriate to
854 assist on specific issues related to the task force's duties[, including a working group for
855 site selection of temporary winter response shelters].
- 856 (8)(a) A task force member may not receive compensation or benefits for the task force
857 member's service.
- 858 (b) A task force member may receive per diem and travel expenses in accordance with:
- 859 (i) Section 63A-3-106;
- 860 (ii) Section 63A-3-107; and
- 861 (iii) rules made by the Division of Finance in accordance with Sections 63A-3-106
862 and 63A-3-107.
- 863 (9) The applicable county for which a task force is convened shall provide administrative
864 support to the task force.
- 865 (10) Meetings of the task force are not subject to Title 52, Chapter 4, Open and Public
866 Meetings Act.
- 867 Section 14. Section **35A-16-602** is amended to read:
- 868 **35A-16-602 . COVID-19 Homeless Housing and Services Grant Program.**
- 869 (1) There is established the COVID-19 Homeless Housing and Services Grant Program, a
870 competitive grant program administered by the office and funded in accordance with 42
871 U.S.C. Sec. 802.
- 872 (2) The office shall distribute money to fund one or more projects that:
- 873 (a) include affordable housing units for households:
- 874 (i) whose income is no more than 30% of the area median income for households of
875 the same size in the county or municipality where the project is located;
- 876 (ii) at rental rates no greater than 30% of the income described in Subsection (2)(a)(i)
877 for a household of:
- 878 (A) one person if the unit is an efficiency unit;

- 879 (B) two people if the unit is a one-bedroom unit;
 880 (C) four people if the unit is a two-bedroom unit;
 881 (D) five people if the unit is a three-bedroom unit;
 882 (E) six people if the unit is a four-bedroom unit; or
 883 (F) eight people if the unit is a five-bedroom or larger unit; and
 884 (iii) that have been impacted by the COVID-19 emergency in accordance with 42
 885 U.S.C. Sec. 802; and
 886 (b) have been approved by the board.
- 887 (3) The office shall:
- 888 (a) administer the grant program, including:
- 889 (i) reviewing grant applications and making recommendations to the board; and
 890 (ii) distributing grant money to approved grant recipients; and
- 891 (b) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
 892 make rules to administer the program, including:
- 893 (i) grant application requirements;
 894 (ii) procedures to approve a grant; and
 895 (iii) procedures for distributing money to grant recipients.
- 896 (4) ~~When~~ Except as provided in Subsection (5), when reviewing an application for
 897 approval, the board shall consider:
- 898 (a) an applicant's rental income plan;
 899 (b) proposed case management and service plans for households;
 900 (c) any matching funds proposed by an applicant;
 901 (d) proposed restrictions, including deed restrictions, and the duration of restrictions on
 902 housing units to facilitate long-term assistance to households;
 903 (e) whether use of funds for the proposed project complies with 42 U.S.C. Sec. 802; and
 904 (f) any other considerations as adopted by the board.
- 905 (5) A licensed residential, vocational and life skills program, as defined in Section
 906 13-53-102, is exempt from the requirements described in Subsections (4)(a), (b), and (f).
 907 ~~(5)~~ (6) A grant award under this section shall comply with the requirements of 42 U.S.C.
 908 Sec. 802.

909 Section 15. Section **35A-16-801** is enacted to read:

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

911 **35A-16-801 . Homeless services provider program requirements.**

- 912 (1) As used in this part:

- 913 (a) "Pathway to human thriving" means the framework by which homeless services
914 offered and administered in the state are designed to assist individuals experiencing
915 homelessness, including measurable services that assist in an individual's progress
916 from past trauma and personal struggles to personal healing, transformation, and
917 thriving.
- 918 (b) "Struggling" means an individual who is experiencing homelessness is unable to
919 meet the individual's basic needs, including food and shelter, and who may be
920 experiencing trauma or other barriers in securing and maintaining stable housing with
921 or without the assistance of supportive services.
- 922 (c) "Surviving" means an individual who is experiencing homelessness is able to secure
923 the individual's basic needs, including food and shelter, including temporary shelter,
924 by relying upon supportive services.
- 925 (d) "Thriving" means an individual who experienced homelessness is able to secure and
926 support the individual's basic needs, including food and shelter and who is actively
927 engaged in personal development and is experiencing a sense of purpose and
928 fulfillment.
- 929 (2) A service provider may design and administer a homeless services program that
930 recognizes a homeless individual's pathway to human thriving, as provided in Section
931 35A-16-205.
- 932 (3) The services described in Subsection (2) may include evidence-based and measurable
933 services to assist in a client's progress and transition along the pathway of human
934 thriving.
- 935 (4) A service provider may directly measure, or work with a caseworker to measure, the
936 progress and transition described in Subsection (3) in areas that include:
- 937 (a) education, employment, and income;
938 (b) housing;
939 (c) legal rights and emergency services;
940 (d) mental health;
941 (e) physical health and daily living;
942 (f) social relationships and personal fulfillment; and
943 (g) substance abuse.
- 944 (5) In providing an individual experiencing homelessness with the services described in this
945 part, the service provider shall make the service provider's best effort to preserve the
946 individual's ability to thrive and capacity for growth.

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

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

949 **35A-16-901 . Safety requirements for homeless shelters -- Requirements --**
950 **Prohibitions -- Enforcement and penalties.**

951 (1) As used in this part:

952 (a) "Homeless shelter" means a facility that provides or is proposed to provide
953 temporary shelter to individuals experiencing homelessness.

954 (b) "Homeless shelter" includes a temporary winter response shelter, as that term is
955 defined in Section 35A-16-501.

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

960 (a) maintain a zero-tolerance policy within the premises of the homeless shelter on the
961 use, possession, or distribution of an illegal drug;

962 (b) develop and implement bag check procedures at points of entry and regular searches
963 of personal belongings to ensure the premises of the homeless shelter remain free
964 from prohibited items, including illegal drugs and weapons; and

965 (c) cooperate with law enforcement, including:

966 (i) providing an employee of a law enforcement agency access to the premises to
967 conduct checks for illegal drugs using trained K9 units, based upon reasonable
968 suspicion as determined by the local law enforcement agency; or

969 (ii) providing a client's name and identifying information to an employee of a law
970 enforcement agency to the extent the disclosure is:

971 (A) necessary to avoid a significant risk to public safety;

972 (B) in aid of an ongoing investigation; or

973 (C) as required by state or federal law.

974 (3) A service provider that refuses to comply with this section may be assessed a penalty,
975 including a fine, suspension of funding, or other penalties that may be assessed by the
976 board, or as provided for in state or federal law.

977 Section 17. **Effective Date.**

978 This bill takes effect on May 7, 2025.