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Homeless Services Amendments
2026 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Clinton D. Okerlund
Senate Sponsor: Todd Weiler

LONG TITLE

General Description:

This bill amends provisions related to homeless services.

Highlighted Provisions:

This bill:

- defines and amends terms;
- repeals certain obsolete sections of code;
- amends the duties of the Office of Homeless Services (office) and duties of the homeless services coordinator (coordinator);
- amends certain staffing requirements for certain boards or committees;
- amends certain reporting requirements;
- permits a service provider to temporarily expand a congregate shelter's bed capacity limit under certain conditions;
- changes provisions related to a participating local government's tax revenue distributions for homeless shelters; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

- 35A-1-204 (Effective 05/06/26)**, as last amended by Laws of Utah 2021, Chapter 345
- 35A-8-2202 (Effective 05/06/26)**, as last amended by Laws of Utah 2022, Chapter 118
- 35A-16-102 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special

28 Session, Chapter 16
 29 **35A-16-201 (Effective 05/06/26)**, as enacted by Laws of Utah 2021, Chapter 281
 30 **35A-16-202 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapters 338,
 31 349
 32 **35A-16-203 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 530
 33 **35A-16-205 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 528,
 34 530
 35 **35A-16-207 (Effective 05/06/26) (Repealed 07/01/27)**, as last amended by Laws of Utah
 36 2025, Chapter 530
 37 **35A-16-208 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 422,
 38 530
 39 **35A-16-210 (Effective 05/06/26)**, as enacted by Laws of Utah 2024, Chapter 338
 40 **35A-16-210.1 (Effective 05/06/26)**, as enacted by Laws of Utah 2025, Chapter 530
 41 **35A-16-212 (Effective 05/06/26) (Repealed 07/01/28)**, as enacted by Laws of Utah 2025,
 42 Chapter 41
 43 **35A-16-302 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 530
 44 **35A-16-401 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapters 204,
 45 338 and 438
 46 **59-12-205 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapters 490,
 47 495
 48 **63J-4-202 (Effective 05/06/26)**, as last amended by Laws of Utah 2021, Chapters 281,
 49 382 and last amended by Coordination Clause, Laws of Utah 2021, Chapter 382

ENACTS:

50
 51 **35A-16-1301 (Effective 05/06/26)**, Utah Code Annotated 1953

REPEALS:

52
 53 **35A-16-101 (Effective 05/06/26)**, as enacted by Laws of Utah 2021, Chapter 281

54 **35A-16-209 (Effective 05/06/26)**, as enacted by Laws of Utah 2024, Chapter 338

55
 56 *Be it enacted by the Legislature of the state of Utah:*

57 Section 1. Section **35A-1-204** is amended to read:

58 **35A-1-204 (Effective 05/06/26). Division directors -- Appointment --**

59 **Compensation -- Qualifications.**

60 (1)(a) The chief officer of each division within the department shall be a director, who
 61 shall serve as the executive and administrative head of the division.

62 [(2)] (b) A director shall be appointed by the executive director with the concurrence of
63 the governor and may be removed from that position at the will of the executive
64 director.

65 (2)(a) Notwithstanding Subsection (1), the governor shall appoint a state homeless
66 services coordinator to serve as the chief officer of the Office of Homeless Services
67 created in Chapter 16, Part 2, Office of Homeless Services.

68 (b) The state homeless services coordinator may be removed from that position at the
69 will of the governor.

70 (3) A director of a division shall receive compensation as provided by Title 63A, Chapter
71 17, Utah State Personnel Management Act.

72 (4)(a) A director of a division shall be experienced in administration and possess such
73 additional qualifications as determined by the executive director.

74 (b) In addition to the requirements of Subsection (4)(a), the director of the Division of
75 Adjudication shall be admitted to the practice of law in Utah.

76 Section 2. Section **35A-8-2202** is amended to read:

77 **35A-8-2202 (Effective 05/06/26). Commission on Housing Affordability.**

78 (1) There is created within the department the Commission on Housing Affordability.

79 (2) The commission shall consist of 21 members as follows:

80 (a) one senator appointed by the president of the Senate;

81 (b) two representatives appointed by the speaker of the House of Representatives;

82 (c) the executive director of the department or the executive director's designee;

83 (d) the director of the division;

84 (e) the executive director of the Governor's Office of Economic Opportunity or the
85 executive director's designee;

86 (f) the president of the Utah Transit Authority or the president's designee;

87 (g) the chair of the board of trustees of the Utah Housing Corporation or the chair's
88 designee;

89 (h) the state homelessness coordinator appointed under Section [~~63J-4-202~~] 35A-1-204
90 or the state homelessness coordinator's designee; and

91 (i) 12 members appointed by the governor as follows:

92 (i) one individual representing the land development community with experience and
93 expertise in affordable, subsidized multi-family development, recommended by
94 the Utah Homebuilders Association;

95 (ii) one individual representing the real estate industry, recommended by the Utah

- 96 Association of Realtors;
- 97 (iii) one individual representing the banking industry, recommended by the Utah
- 98 Bankers Association;
- 99 (iv) one individual representing public housing authorities, recommended by the
- 100 director of the division;
- 101 (v) two individuals representing municipal government, recommended by the Utah
- 102 League of Cities and Towns;
- 103 (vi) one individual representing redevelopment agencies and community
- 104 reinvestment agencies, recommended by the Utah Redevelopment Association;
- 105 (vii) two individuals representing county government, recommended by the Utah
- 106 Association of Counties, where:
- 107 (A) one of the individuals is from a county of the first class; and
- 108 (B) one of the individuals is from a county of the third, fourth, fifth, or sixth class;
- 109 (viii) one individual representing a nonprofit organization that addresses issues
- 110 related to housing affordability;
- 111 (ix) one individual with expertise on housing affordability issues in rural
- 112 communities; and
- 113 (x) one individual representing the Salt Lake Chamber, recommended by the Salt
- 114 Lake Chamber.
- 115 (3)(a) When a vacancy occurs in a position appointed by the governor under Subsection
- 116 (2)(i), the governor shall appoint a person to fill the vacancy.
- 117 (b) Members appointed under Subsection (2)(i) may be removed by the governor for
- 118 cause.
- 119 (c) A member appointed under Subsection (2)(i) shall be removed from the commission
- 120 and replaced by an appointee of the governor if the member is absent for three
- 121 consecutive meetings of the commission without being excused by a cochair of the
- 122 commission.
- 123 (d) A member serves until the member's successor is appointed.
- 124 (4)(a) The commission shall select two members to serve as cochairs, one of whom shall
- 125 be a legislator.
- 126 (b) Subject to the other provisions of this Subsection (4), the cochairs are responsible for
- 127 the call and conduct of meetings.
- 128 (c) The cochairs shall call and hold meetings of the commission at least four times each
- 129 year.

- 130 (d) One or more additional meetings may be called upon request by a majority of the
131 commission's members.
- 132 (5)(a) A majority of the members of the commission constitutes a quorum.
- 133 (b) The action of a majority of a quorum constitutes the action of the commission.
- 134 (6)(a) A member of the commission described in Subsections (2)(c) through (i) may not
135 receive compensation or benefits for the member's service, but may receive per diem
136 and travel expenses in accordance with:
- 137 (i) Section 63A-3-106;
- 138 (ii) Section 63A-3-107; and
- 139 (iii) rules made by the Division of Finance [~~pursuant to~~] in accordance with Sections
140 63A-3-106 and 63A-3-107.
- 141 (b) Compensation and expenses of a member who is a legislator are governed by Section
142 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.
- 143 (7) The division shall provide staff support to the commission.
- 144 Section 3. Section **35A-16-102** is amended to read:
- 145 **35A-16-102 (Effective 05/06/26). Definitions.**
- 146 As used in this chapter:
- 147 (1) "Board" means the Utah Homeless Services Board created in Section 35A-16-204.
- 148 (2) "Chief executive officer" means the same as that term is defined in Section 11-51-102.
- 149 (3) "Client" means an individual who is experiencing homelessness or an individual at risk
150 of becoming homeless.
- 151 (4) "Collaborative applicant" means the entity designated by a continuum of care to collect
152 and submit data and apply for funds on behalf of the continuum of care, as required by
153 the United States Department of Housing and Urban Development.
- 154 (5) "Continuum of care" means a regional or local planning body designated by the United
155 States Department of Housing and Urban Development to coordinate services for
156 individuals experiencing homelessness within an area of the state.
- 157 (6) "Coordinator" means the state homelessness coordinator appointed under Section [
158 ~~63J-4-202~~] 35A-1-204.
- 159 (7) "County of the first class" means the same as that term is defined in Section 17-60-104.
- 160 (8) "County of the second class" means the same as that term is defined in Section
161 17-60-104.
- 162 (9) "Eligible services" means any activities or services that mitigate the impacts of the
163 location of an eligible shelter, including direct services, public safety services, and

- 164 emergency services, as further defined by rule made by the office in accordance with
165 Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- 166 (10) "Executive committee" means the executive committee of the board.
- 167 (11) "Exit destination" means:
- 168 (a) a homeless situation;
- 169 (b) an institutional situation;
- 170 (c) a temporary housing situation;
- 171 (d) a permanent housing situation; or
- 172 (e) other.
- 173 (12) "First-tier eligible municipality" means a municipality that:
- 174 (a) is located within:
- 175 (i) a county of the first or second class, as classified in Section 17-60-104; or
- 176 (ii) a county of the third class, as classified in Section 17-60-104, if the municipality
177 has a population of 100,000 or more;
- 178 (b) as determined by the office, has or is proposed to have an eligible shelter within the
179 municipality's geographic boundaries within the following fiscal year;
- 180 (c) due to the location of an eligible shelter within the municipality's geographic
181 boundaries, requires eligible services; and
- 182 (d) is certified as a first-tier eligible municipality in accordance with Section 35A-16-404.
- 183 (13) "Homeless Management Information System" or "HMIS" means an information
184 technology system that:
- 185 (a) is used to collect client-level data and data on the provision of housing and services
186 to homeless individuals and individuals at risk of homelessness in the state; and
- 187 (b) meets the requirements of the United States Department of Housing and Urban
188 Development.
- 189 (14) "Homeless services budget" means the comprehensive annual budget and overview of
190 all homeless services available in the state described in Subsection 35A-16-203(1)(b).
- 191 (15) "Local homeless council" means a local planning body designated by the steering
192 committee [~~to coordinate~~] that coordinates services for individuals experiencing
193 homelessness within an area of the state.
- 194 (16) "Office" means the Office of Homeless Services.
- 195 (17) "Residential, vocational and life skills program" means the same as that term is defined
196 in Section 13-53-102.
- 197 (18) "Second-tier eligible municipality" means a municipality that:

- 198 (a) is located within:
 - 199 (i) a county of the fourth, fifth, or sixth class; or
 - 200 (ii) a county of the third class, if the municipality has a population of less than
 - 201 100,000;
- 202 (b) as determined by the office, has or is proposed to have an eligible shelter within the
- 203 municipality's geographic boundaries within the following fiscal year;
- 204 (c) due to the location of an eligible shelter within the municipality's geographic
- 205 boundaries, requires eligible services; and
- 206 (d) is certified as a second-tier eligible municipality in accordance with Section
- 207 35A-16-404.

- 208 (19)(a) "Service provider" means a state agency, a local government, or a private
- 209 organization that provides services to clients.
- 210 (b) "Service provider" includes a correctional facility and the Administrative Office of
- 211 the Courts.

212 (20) "Steering committee" means the Utah Homeless Network Steering Committee created
 213 in Section 35A-16-206.

214 [~~(21) "Strategic plan" means the statewide strategic plan to minimize homelessness in the~~
 215 ~~state described in Subsection 35A-16-203(1)(c).]~~

216 [~~(22)~~] (21) "Type of homelessness" means:

- 217 (a) chronic homelessness;
- 218 (b) episodic homelessness;
- 219 (c) situational homelessness; or
- 220 (d) family homelessness.

221 Section 4. Section **35A-16-201** is amended to read:

222 **35A-16-201 (Effective 05/06/26). Office of Homeless Services.**

- 223 (1) The Office of Homeless Services is under the direction of the state homelessness
- 224 coordinator appointed under [~~Section 63J-4-202~~] Section 35A-1-204.
- 225 (2) The coordinator shall serve as:
 - 226 (a) an advisor to the governor on homelessness issues; and
 - 227 (b) subject to Subsection (3), the chief administrative officer of the Office of Homeless
 - 228 Services created [~~in Section 35A-1-202~~] under this part.
- 229 (3) The executive director has administrative oversight over the office.

230 Section 5. Section **35A-16-202** is amended to read:

231 **35A-16-202 (Effective 05/06/26). Powers and duties of the office.**

- 232 (1) The office shall, under the direction of the coordinator:
- 233 (a) assist in providing homeless services in the state;
- 234 (b) coordinate the provision of homeless services in the state;
- 235 (c) coordinate statewide emergency and crisis response in relation to services for
- 236 individuals experiencing homelessness;
- 237 ~~[(e)]~~ (d) manage, with the concurrence of continuum of care organizations approved by
- 238 the United States Department of Housing and Urban Development, a Homeless
- 239 Management Information System for the state that:
- 240 (i) shares client-level data between service providers in the state;
- 241 (ii) is effective as a case management system;
- 242 (iii) except for individuals receiving services who are victims of domestic violence,
- 243 includes an effective authorization protocol for encouraging individuals who are
- 244 provided with any homeless services in the state to provide accurate information
- 245 to providers for inclusion in the HMIS; and
- 246 (iv) meets the requirements of the United States Department of Housing and Urban
- 247 Development and other federal requirements; and
- 248 ~~[(d) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,~~
- 249 ~~make rules defining "successful exit," "unsuccessful exit," and "neutral exit"; and]~~
- 250 (e) provide support to the steering committee in developing the formula described in
- 251 Section 35A-16-211.
- 252 (2) The office may:
- 253 (a) by following the procedures and requirements of Title 63J, Chapter 5, Federal Funds
- 254 Procedures Act, seek federal grants, loans, or participation in federal programs; and
- 255 (b) for any federal program that requires the expenditure of state funds as a condition for
- 256 participation by the state in a fund, property, or service, with the governor's approval,
- 257 expend whatever funds are necessary out of the money provided by the Legislature
- 258 for the use of the office.
- 259 Section 6. Section **35A-16-203** is amended to read:
- 260 **35A-16-203 (Effective 05/06/26). Powers and duties of the coordinator.**
- 261 (1) The coordinator shall:
- 262 (a) coordinate the provision of homeless services in the state;
- 263 (b) in cooperation with the board, develop and maintain a comprehensive annual budget
- 264 and overview of all homeless services available in the state, which homeless services
- 265 budget shall receive final approval by the board;

- 266 [(e) in cooperation with the board, create a statewide strategic plan to minimize
 267 homelessness in the state, which strategic plan shall receive final approval by the
 268 board;]
- 269 [~~(d)~~] (c) in cooperation with the board, oversee funding provided for the provision of
 270 homeless services, which funding shall receive final approval by the board, including
 271 funding from the:
- 272 (i) Pamela Atkinson Homeless Account created in Section 35A-16-301;
 273 (ii) Homeless to Housing Reform Restricted Account created in Section 35A-16-303;
 274 and
 275 (iii) Homeless Shelter Cities Mitigation Restricted Account created in Section
 276 35A-16-402;
- 277 [(e)] (d) provide administrative support to and serve as a member of the board;
- 278 [(f)] (e) at the governor's request, report directly to the governor on issues regarding
 279 homelessness in the state and the provision of homeless services in the state;[-and]
- 280 [(g)] (f) [~~report directly to-~~] at the request of the president of the Senate and the speaker of
 281 the House of Representatives[-at least twice each year] , report directly to the
 282 Legislature on issues regarding homelessness in the state and the provision of
 283 homeless services in the state[-:] ;
- 284 (g) outline specific goals and measurable benchmarks for minimizing homelessness in
 285 the state; and
- 286 (h) coordinate services for individuals experiencing homelessness among all service
 287 providers in the state.
- 288 [(2) The coordinator, in cooperation with the board, shall ensure that the homeless services
 289 budget described in Subsection (1)(b) includes an overview and coordination plan for all
 290 funding sources for homeless services in the state, including from state agencies,
 291 continuum of care organizations, housing authorities, local governments, federal
 292 sources, and private organizations.]
- 293 [(3) The coordinator, in cooperation with the board and taking into account the metrics
 294 established and data reported in accordance with Section 35A-16-211, shall ensure that
 295 the strategic plan described in Subsection (1)(c):]
- 296 [(a) outlines specific goals and measurable benchmarks for minimizing homelessness in
 297 the state and for coordinating services for individuals experiencing homelessness
 298 among all service providers in the state;]
- 299 [(b) identifies best practices or innovative strategies and recommends improvements to

300 the provision of services to individuals experiencing homelessness in the state to
301 ensure the services are provided in a safe, cost-effective, and efficient manner;]

302 [~~(e) identifies best practices or innovative strategies and recommends improvements in~~
303 ~~coordinating the delivery of services to the variety of populations experiencing~~
304 ~~homelessness in the state, including through the use of electronic databases and~~
305 ~~improved data sharing among all service providers in the state;]~~

306 [~~(d) identifies gaps and recommends solutions in the delivery of services to the variety~~
307 ~~of populations experiencing homelessness in the state; and]~~

308 [~~(e) takes into consideration the success of the HOME Court Pilot Program established~~
309 ~~in Section 26B-5-382.]~~

310 [(4)] (2) In overseeing funding for the provision of homeless services as described in
311 Subsection [(1)(d)] (1)(c), the coordinator:

312 (a) shall prioritize the funding of programs and providers that have a documented history
313 of successfully reducing the number of individuals experiencing homelessness,
314 reducing the time individuals spend experiencing homelessness, moving individuals
315 experiencing homelessness to permanent housing, or reducing the number of
316 individuals who return to experiencing homelessness;

317 (b) except for a program or provider providing services to victims of domestic violence,
318 may not approve funding to a program or provider that does not enter into a written
319 agreement with the office to collect and share HMIS data regarding the provision of
320 services to individuals experiencing homelessness so that the provision of services
321 can be coordinated among state agencies, local governments, and private
322 organizations; and

323 (c) if the board has approved a funding formula developed by the steering committee, as
324 described in Section 35A-16-205:

325 (i) except as provided in Subsection [(4)(e)(ii)] (2)(c)(ii), shall utilize that funding
326 formula in disbursing funds for the provision of homeless services; and

327 (ii) shall ensure that any federal funds not subject to the funding formula are
328 disbursed in accordance with any applicable federal requirements.

329 [~~(5) In cooperation with the board, the coordinator shall update the annual statewide budget~~
330 ~~and the strategic plan described in this section on an annual basis.]~~

331 [(6)] (3)(a) On or before October 1, the coordinator shall provide a written report to the
332 department for inclusion in the department's annual written report described in
333 Section 35A-1-109.

- 334 (b) The written report shall include:
- 335 (i) the homeless services budget;
- 336 ~~[(ii) the strategic plan;]~~
- 337 ~~[(iii)]~~ (ii) recommendations regarding improvements to coordinating and providing
- 338 services to individuals experiencing homelessness in the state;
- 339 ~~[(iv)]~~ (iii) in coordination with the board, a complete accounting of the office's
- 340 disbursement of funds during the previous fiscal year from:
- 341 (A) the Pamela Atkinson Homeless Account created in Section 35A-16-301;
- 342 (B) the Homeless to Housing Reform Restricted Account created in Section
- 343 35A-16-303;
- 344 (C) the Homeless Shelter Cities Mitigation Restricted Account created in Section
- 345 35A-16-402; and
- 346 ~~[(D) the COVID-19 Homeless Housing and Services Grant Program created in~~
- 347 ~~Section 35A-16-602; and]~~
- 348 ~~[(E)]~~ (D) any other grant program created in statute that is administered by the
- 349 office~~[-and] .~~
- 350 ~~[(v) the data described in Section 35A-16-211.]~~

351 Section 7. Section **35A-16-205** is amended to read:

352 **35A-16-205 (Effective 05/06/26). Duties of the board.**

- 353 (1) The board:
- 354 (a) shall provide final approval for:
- 355 (i) a funding formula developed by the steering committee under Section 35A-16-211;
- 356 (ii) the homeless services budget; and
- 357 ~~[(iii) the strategic plan; and]~~
- 358 ~~[(iv)]~~ (iii) the awarding of funding for the provision of homeless services as described
- 359 in Subsection ~~[35A-16-203(1)(d)]~~ 35A-16-203(1)(c);
- 360 (b) in cooperation with the coordinator, shall:
- 361 (i) develop and maintain the homeless services budget; and
- 362 ~~[(ii) develop and maintain the strategic plan; and]~~
- 363 ~~[(iii)]~~ (ii) review applications and approve funding for the provision of homeless
- 364 services in the state as described in Subsection ~~[35A-16-203(1)(d)]~~
- 365 35A-16-203(1)(c);
- 366 (c) shall review local and regional plans for providing services to individuals
- 367 experiencing homelessness;

- 368 (d) shall cooperate with local homeless councils to:
- 369 (i) develop a common agenda and vision for reducing homelessness in each local
- 370 oversight body's respective region;
- 371 (ii) as part of the homeless services budget, develop a spending plan that coordinates
- 372 the funding supplied to local stakeholders; and
- 373 (iii) align local funding to projects that improve outcomes and target specific needs in
- 374 each community;
- 375 (e) shall coordinate gap funding with private entities for providing services to
- 376 individuals experiencing homelessness;
- 377 (f) shall recommend performance and accountability measures for service providers,
- 378 including the support of collecting consistent and transparent data;
- 379 (g) when reviewing and giving final approval for requests as described in Subsection [
- 380 ~~35A-16-203(1)(d)~~ 35A-16-203(1)(c):
- 381 (i) may only recommend funding if the proposed recipient has a policy to share
- 382 client-level service information with other entities in accordance with state and
- 383 federal law to enhance the coordination of services for individuals who are
- 384 experiencing homelessness; and
- 385 (ii) shall identify specific targets and benchmarks [~~that align with the strategic plan~~]
- 386 for each recommended award;
- 387 [~~(h) shall regularly update the state strategic plan on homelessness to reflect:~~]
- 388 [~~(i) trends in homelessness as identified by the review of:~~]
- 389 [~~(A) local data; and~~]
- 390 [~~(B) performance and accountability metrics in accordance with this section; and~~]
- 391 [~~(ii) proven strategies to reduce homelessness among:~~]
- 392 [~~(A) the unsheltered;~~]
- 393 [~~(B) the chronically or episodically homeless; and~~]
- 394 [~~(C) the situationally homeless;~~]
- 395 [(+) (h) shall develop annual state and local goals for reducing homelessness among the
- 396 target subpopulations identified by the board;
- 397 [(+)] (i) shall work with the local homeless councils to carry out the requirements of
- 398 Subsection 35A-16-211(3);
- 399 [(*)] (j) shall develop metrics for measuring the effectiveness of providers in assisting
- 400 clients to successfully progress through the services coordinated by a continuum of
- 401 care;

- 402 ~~[(k)]~~ (k) shall create best practices or innovative strategies for a service provider to
403 administer services to an individual experiencing homelessness, including promotion
404 of:
- 405 (i) a recognition of the human dignity of clients served;
 - 406 (ii) a need to develop self-reliance;
 - 407 (iii) the value of work;
 - 408 (iv) personal accountability; and
 - 409 (v) personal progress toward greater personal independence;
- 410 ~~[(l)]~~ (l) shall make recommendations for uniform standards for enforcing pedestrian
411 safety and unsanctioned camping laws and ordinances;
- 412 ~~[(m)]~~ (m) shall identify best practices or innovative strategies for responding to
413 unsheltered individuals experiencing mental health disorder and substance use
414 disorder;
- 415 ~~[(n)]~~ (n) shall make recommendations for strategies to reduce illegal drug use within
416 homeless shelters, transitional housing, and permanent supportive housing;
- 417 ~~[(o)]~~ (o) shall facilitate client connection to alternative support systems, including
418 behavioral health services, addiction recovery, and residential services;
- 419 ~~[(p)]~~ (p) shall facilitate participation in HMIS, where appropriate and in alignment with
420 established HMIS policies, and data sharing agreements among all participants in a
421 client support network, including homeless services, physical health systems, mental
422 health systems, and the criminal justice system;
- 423 ~~[(r)] shall make recommendations to the office for defining "successful exit,"~~
424 ~~"unsuccessful exit," and "neutral exit";]~~
- 425 ~~[(s)]~~ (q) shall evaluate additional opportunities for the office to become a collaborative
426 applicant;
- 427 ~~[(t)]~~ (r) shall coordinate with the continuums of care to provide for cooperative
428 distribution of available funding;
- 429 ~~[(u)]~~ (s) shall work in conjunction with the executive directors of the Department of
430 Workforce Services, the Department of Health and Human Services, and the
431 Department of Corrections to create best practices or innovative strategies for helping
432 individuals exiting from incarceration or an institution to avoid homelessness;
- 433 ~~[(v)]~~ (t) shall establish standards for the prioritization of beds located in homeless
434 shelters in accordance with Section 35A-16-205.1; and
- 435 ~~[(w)]~~ (u) shall work in conjunction with the Department of Veterans and Military Affairs

436 to create best practices for helping veterans, as that term is defined in Section
437 68-3-12.5, avoid homelessness.

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

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

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

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

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

447 **35A-16-207 (Effective 05/06/26) (Repealed 07/01/27). Duties of the steering**
448 **committee.**

449 (1) The steering committee shall:

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

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

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

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

458 (e) make recommendations to the board regarding the awarding of funding for the
459 provision of homeless services as described in Subsection [35A-16-203(1)(d)]

460 35A-16-203(1)(c).

461 (2) The steering committee shall, in consultation with members of the board, the office,
462 members of local homeless councils, and the coordinator, develop a funding formula as
463 described in Section 35A-16-211.

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

465 **35A-16-208 (Effective 05/06/26). Reporting requirements -- Outcome measures.**

466 [~~(1)(a) The office shall report, for the state and for each local homeless council:]~~

467 [~~(i) the state's year-to-date progress toward reaching a functional zero level of~~
468 ~~homelessness for each type of homelessness and subpopulation, including:]~~

469 [~~(A) the number of individuals who are homeless for the first time;]~~

- 470 ~~[(B) the number of individuals who returned to homelessness after having exited~~
471 ~~homelessness within the two previous years;]~~
- 472 ~~[(C) the number of individuals who remained homeless since the last report;]~~
- 473 ~~[(D) the number of individuals experiencing homelessness since the last report by~~
474 ~~household type;]~~
- 475 ~~[(E) the number of individuals who exited by exit destination; and]~~
- 476 ~~[(F) the number of individuals who are experiencing homelessness for the first~~
477 ~~time plus the number of individuals who are returning to homelessness minus~~
478 ~~the number of individuals who are exiting homelessness;]~~
- 479 ~~[(ii) the percentage of individuals experiencing homelessness who:]~~
- 480 ~~[(A) have a mental health disorder;]~~
- 481 ~~[(B) have a substance use disorder;]~~
- 482 ~~[(C) have a chronic health condition;]~~
- 483 ~~[(D) have a physical disability;]~~
- 484 ~~[(E) have a developmental disability;]~~
- 485 ~~[(F) have HIV/AIDS;]~~
- 486 ~~[(G) are survivors of domestic violence;]~~
- 487 ~~[(H) are veterans; and]~~
- 488 ~~[(I) are unaccompanied youth 24 years old or younger;]~~
- 489 ~~[(iii) the number of individuals who exited homeless services since the last report by:]~~
- 490 ~~[(A) type of homelessness;]~~
- 491 ~~[(B) subpopulation; and]~~
- 492 ~~[(C) exit destination;]~~
- 493 ~~[(iv) the progress, by project type, on each goal established in accordance with~~
494 ~~Subsection (3); and]~~
- 495 ~~[(v) the data provided by the homeless services provider ombudsman as described in~~
496 ~~Section 35A-16-1002.]~~
- 497 ~~[(b) The reports described in this Subsection (1) shall contain aggregated, de-identified~~
498 ~~information.]~~
- 499 ~~[(2) The office shall report the data described in Subsection (1):]~~
- 500 ~~[(a) in the annual report required by Section 35A-16-203;]~~
- 501 ~~[(b) on or before October 1 of each year, through an oral presentation to the Economic~~
502 ~~Development and Workforce Services Interim Committee; and]~~
- 503 ~~[(c) on a data dashboard for the public with specific additional data points recommended~~

- 504 by the board.]
- 505 [~~(3) The board and the local homeless councils shall jointly establish quarterly goals for~~
- 506 ~~each project type.]~~
- 507 [~~(4) The board and the local homeless councils shall jointly make annual progress reports~~
- 508 ~~identifying:]~~
- 509 [~~(a) the percentage of clients:]~~
- 510 [~~(i) screened for social needs; and]~~
- 511 [~~(ii) referred for services that match the clients' social needs;]~~
- 512 [~~(b) the percentage of clients subsequently referred to community-based providers who~~
- 513 ~~can:]~~
- 514 [~~(i) address the client's needs;]~~
- 515 [~~(ii) follow-up on status of addressing the client's needs; and]~~
- 516 [~~(iii) report back to the referring entity;]~~
- 517 [~~(c) the number of youth receiving parent or guardian bereavement support services; and]~~
- 518 [~~(d) the number of clients with:]~~
- 519 [~~(i) a successful exit;]~~
- 520 [~~(ii) an unsuccessful exit;]~~
- 521 [~~(iii) a neutral exit; and]~~
- 522 [~~(iv) continued enrollment in the project.]~~
- 523 (1)(a) The office shall report, for the state and for each local homeless council:
- 524 (i) the state's year-to-date progress toward reaching a functional zero level of
- 525 homelessness for each type of homelessness and subpopulation;
- 526 (ii) the number of individuals who are experiencing homelessness for the first time
- 527 plus the number of individuals who are returning to homelessness minus the
- 528 number of individuals who are exiting homelessness;
- 529 (iii) the progress, by project type, on each goal established in accordance with
- 530 Subsection (3); and
- 531 (iv) the data provided by the homeless services provider ombudsman as described in
- 532 Section 35A-16-1002.
- 533 (b) The reports described in this Subsection (1) shall contain aggregated, de-identified
- 534 information.
- 535 (2) The office shall report the data described in Subsection (1):
- 536 (a) in the annual report required by Section 35A-16-203; and
- 537 (b) on a data dashboard for the public with specific additional data points recommended

- 538 by the board.
- 539 (3) The board and the local homeless councils shall jointly establish quarterly goals for
540 each project type.
- 541 Section 10. Section **35A-16-210** is amended to read:
- 542 **35A-16-210 (Effective 05/06/26). Shelter Cities Advisory Board.**
- 543 (1) There is established the Shelter Cities Advisory Board.
- 544 (2) The Shelter Cities Advisory Board shall consist of the following members:
- 545 (a) the chief executive officer of each first-tier eligible municipality, or the chief
546 executive officer's designee; and
- 547 (b) the chief executive officer of each second-tier eligible municipality, or the chief
548 executive officer's designee.
- 549 (3)(a) The Shelter Cities Advisory Board shall appoint, in accordance with this section,
550 one chief executive officer representing a municipality as a member to the board.
- 551 (b) The members of the Shelter Cities Advisory Board shall make an appointment, or fill
552 a vacancy, by a majority vote of all members of the Shelter Cities Advisory Board
553 who are present at the meeting during which an appointment is made.
- 554 (c) The Shelter Cities Advisory Board may not appoint the chief executive officer
555 described in Subsection 35A-16-204(2)(a)(vi).
- 556 (d) Section 35A-16-204 governs other terms of appointment.
- 557 (4) The Shelter Cities Advisory Board may make recommendations to the board regarding
558 improvements to coordinating and providing services to individuals experiencing
559 homelessness in the state.
- 560 (5) ~~[The office and an]~~ An association representing at least two municipalities in the state
561 shall ~~[jointly]~~ provide staff and administrative support to the Shelter Cities Advisory
562 Board.
- 563 Section 11. Section **35A-16-210.1** is amended to read:
- 564 **35A-16-210.1 (Effective 05/06/26). Shelter Counties Advisory Board.**
- 565 (1) There is established the Shelter Counties Advisory Board.
- 566 (2) The Shelter Counties Advisory Board shall consist of the chief executive officer of each
567 county that maintains a homeless shelter year round, or the chief executive officer's
568 designee.
- 569 (3) The Shelter Counties Advisory Board may make recommendations to the board
570 regarding improvements to coordinating and providing services to individuals
571 experiencing homelessness in the state.

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

574 Section 12. Section **35A-16-212** is amended to read:

575 **35A-16-212 (Effective 05/06/26) (Repealed 07/01/28). Property Loss Related to**
576 **Homelessness Compensation Enterprise Fund.**

577 (1) As used in this part:

578 (a) "Fund" means the Property Loss Related to Homelessness Compensation Enterprise
579 Fund created in Subsection (3).

580 (b) "Homeless services facility" means an eligible shelter under Subsection
581 35A-16-401(5)(a)[~~or (5)(b)~~] , (b), or (c).

582 (c) "Property loss" means:

583 (i) documented damage to or theft of personal property; or

584 (ii) documented cost of cleaning, sanitizing, repairing, or restoring real property.

585 (2) Documentation required for Subsection (1)(c) shall include closed insurance claim
586 information with any settlement amount.

587 (3) There is created an enterprise fund known as the Property Loss Related to
588 Homelessness Compensation Enterprise Fund.

589 (4) The fund shall consist of:

590 (a) gifts, grants, donations, and loan repayments or any other conveyance of money that
591 may be made to the fund from private sources; and

592 (b) additional amounts as appropriated by the Legislature.

593 (5) The fund shall be administered by the office.

594 (6) Funds may be used to:

595 (a) provide a no-interest loan to a business that:

596 (i) meets the requirements of Subsection (6)(b); and

597 (ii) enters into an agreement with the department to:

598 (A) use loan funds for documented costs for property loss or for documented costs
599 to mitigate property loss as a direct result of the presence of the homeless
600 services facility; and

601 (B) repay the loan no later than one year from the day on which the loan is
602 disbursed to the business;

603 (b) except as provided in Subsection (12), compensate a business that:

604 (i) is located within 1/5 of a mile of a homeless services facility; and

605 (ii) experiences property loss as a direct result of the presence of the homeless

- 606 services facility; or
- 607 (c) compensate an individual who:
- 608 (i) lives within 1/5 of a mile from a homeless services facility; and
- 609 (ii) experiences property loss as a direct result of the presence of the homeless
- 610 services facility.
- 611 (7) An individual who receives compensation from the fund shall:
- 612 (a) be a resident of Utah; and
- 613 (b) have a need that meets the requirements of this section.
- 614 (8)(a) A business that receives compensation or a loan from the fund shall be in good
- 615 standing with the State Tax Commission and Department of Commerce.
- 616 (b) The State Tax Commission and Department of Commerce may charge a business
- 617 described in Subsection (8)(a) a nominal fee to obtain a certificate of good standing
- 618 to meet the requirements under this section.
- 619 (9)(a) The fund may not duplicate or supplant a service or support mechanism provided
- 620 to an individual or business by another government entity or private agency.
- 621 (b) The fund may supplement a service or support mechanism provided to an individual
- 622 or business by another government entity or private agency, if the service or support
- 623 mechanism does not fully cover the cost of the individual's or business's property loss.
- 624 (10) Administrative and operating expenses for the fund shall be paid from the fund.
- 625 (11) The executive director may expend up to 4% of the revenues of the fund, including any
- 626 appropriations to the fund, for administrative expenses.
- 627 (12) A business located at parcel record number 15-26-326-016-0000 is not eligible to
- 628 receive compensation for property loss as a direct result of the presence of a homeless
- 629 services facility.
- 630 (13) The office shall:
- 631 (a) administer the loan program, including:
- 632 (i) in each calendar year that money is available from the fund for distribution by the
- 633 office, announcing, at least once in that year, a loan application period by sending
- 634 notice to interested persons;
- 635 (ii) accepting applications received in a timely manner;
- 636 (iii) reviewing loan applications;
- 637 (iv) determining eligibility in accordance with this section; and
- 638 (v) distributing loan money to an approved loan recipient; and
- 639 (b) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,

- 640 make rules to administer the program, including:
- 641 (i) loan application requirements;
- 642 (ii) procedures to approve a loan;
- 643 (iii) procedures for distributing money to loan recipients;
- 644 (iv) criteria for confirming the amount of property loss; and
- 645 (v) criteria prioritizing disbursements in the event of limited funds.
- 646 (14) The office may do any act necessary or convenient to the exercise of the powers
- 647 granted by this part or reasonably implied from those granted powers, including:
- 648 (a) service or contract, under Title 63G, Chapter 6a, Utah Procurement Code, for the
- 649 servicing of loans made by the fund;
- 650 (b) make or execute contracts and other instruments necessary or convenient for the
- 651 performance of the office's duties and exercise of the office's powers and functions
- 652 under this part, including contracts or agreements for the servicing and originating of
- 653 loans; and
- 654 (c) selling, at a public or private sale, with public bidding, an obligation held by the fund.
- 655 (15) Any money returned to the department under this section from a person that received a
- 656 loan from the fund shall be deposited into the fund.
- 657 Section 13. Section **35A-16-302** is amended to read:
- 658 **35A-16-302 (Effective 05/06/26). Uses of Homeless to Housing Reform Restricted**
- 659 **Account.**
- 660 (1) The board may award ongoing or one-time grants or contracts funded from the
- 661 Homeless to Housing Reform Restricted Account created in Section 35A-16-303.
- 662 (2) As a condition of receiving money, including any ongoing money, from the restricted
- 663 account, an entity awarded a grant or contract under this section shall provide detailed
- 664 and accurate reporting on at least an annual basis to the board and the coordinator that
- 665 describes:
- 666 (a) how money provided from the restricted account has been spent by the entity; and
- 667 (b) the progress towards measurable outcome-based benchmarks agreed to between the
- 668 entity and the board before the awarding of the grant or contract.
- 669 (3) In determining the awarding of a grant or contract under this section, the board and the
- 670 coordinator shall:
- 671 (a) ensure that the services to be provided through the grant or contract will be provided
- 672 in a cost-effective manner;
- 673 (b) give priority to a project or contract that will include significant additional or

- 674 matching funds from a private organization, nonprofit organization, or local
675 government entity;
- 676 (c) ensure that the project or contract will target the distinct housing needs of one or
677 more at-risk or homeless subpopulations, which may include:
- 678 (i) families with children;
 - 679 (ii) transitional-aged youth;
 - 680 (iii) single men or single women;
 - 681 (iv) veterans;
 - 682 (v) victims of domestic violence;
 - 683 (vi) individuals with behavioral health disorders, including mental health or
684 substance use disorders;
 - 685 (vii) individuals who are medically frail or terminally ill;
 - 686 (viii) individuals exiting prison or jail; or
 - 687 (ix) individuals who are homeless without shelter; and
- 688 (d) consider whether the project will address one or more of the following goals:
- 689 (i) diverting homeless or imminently homeless individuals and families from
690 emergency shelters by providing better housing-based solutions;
 - 691 (ii) meeting the basic needs of homeless individuals and families in crisis;
 - 692 (iii) providing homeless individuals and families with needed stabilization services;
 - 693 (iv) decreasing the state's homeless rate;
 - 694 (v) implementing a coordinated entry system with consistent assessment tools to
695 provide appropriate and timely access to services for homeless individuals and
696 families;
 - 697 (vi) providing access to caseworkers or other individualized support for homeless
698 individuals and families;
 - 699 (vii) encouraging employment and increased financial stability for individuals and
700 families being diverted from or exiting homelessness;
 - 701 (viii) creating additional affordable housing for state residents;
 - 702 (ix) providing services and support to prevent homelessness among at-risk
703 individuals and adults;
 - 704 (x) providing services and support to prevent homelessness among at-risk children,
705 adolescents, and young adults;
 - 706 (xi) preventing the reoccurrence of homelessness among individuals and families
707 exiting homelessness; and

- 708 (xii) providing medical respite care for homeless individuals where the homeless
 709 individuals can access medical care and other supportive services[; and] .
 710 [~~(e) address the needs identified in the strategic plan described in Section 35A-16-203~~
 711 ~~for inclusion in the annual written report described in Section 35A-1-109.]~~
- 712 (4) In addition to the other provisions of this section, in determining the awarding of a grant
 713 or contract under this section to design, build, create, or renovate a facility that will
 714 provide shelter or other resources for the homeless, the board, with the concurrence of
 715 the coordinator, may consider whether the facility will be:
- 716 (a) located near mass transit services;
 717 (b) located in an area that meets or will meet all zoning regulations before a final
 718 dispersal of funds;
 719 (c) safe and welcoming both for individuals using the facility and for members of the
 720 surrounding community; and
 721 (d) located in an area with access to employment, job training, and positive activities.
- 722 (5) In accordance with Subsection (4), and subject to the approval of the board, with the
 723 concurrence of the coordinator, the following may recommend a site location, acquire a
 724 site location, and hold title to real property, buildings, fixtures, and appurtenances of a
 725 facility that provides or will provide shelter or other resources for the homeless:
- 726 (a) the county executive of a county of the first class on behalf of the county of the first
 727 class, if the facility is or will be located in the county of the first class in a location
 728 other than Salt Lake City;
 729 (b) the state;
 730 (c) a nonprofit entity approved by the board, with the concurrence of the coordinator; and
 731 (d) a mayor of a municipality on behalf of the municipality where a facility is or will be
 732 located.
- 733 (6)(a) If a homeless shelter commits to provide any amount of matching funds under this
 734 Subsection (6), the board, with the concurrence of the coordinator, may award a grant
 735 for the ongoing operations of the homeless shelter.
- 736 (b) In awarding a grant under this Subsection (6), the board, with the concurrence of the
 737 coordinator, shall consider:
- 738 (i) the number of beds available at the homeless shelter;
 739 (ii) the number and quality of the homeless services provided by the homeless
 740 shelter; and
 741 (iii) the amount of matching funds provided by the homeless shelter.

- 742 (7)(a) To meet the goals described in Subsection (3), the office may expend money from
743 the restricted account to provide individuals experiencing homelessness
744 transportation costs to connect the individual with a support network outside of the
745 state.
- 746 (b) A service provider that applies for a grant award for the purposes described under
747 Subsection (7)(a) shall provide the office with a detailed report that includes:
- 748 (i) the name and address of the person to provide support services for the individual
749 experiencing homelessness; and
- 750 (ii) the transportation costs that the individual experiencing homelessness may
751 require.
- 752 (8) The office may expend money from the restricted account to offset actual office and
753 board expenses related to administering this section.
- 754 Section 14. Section **35A-16-401** is amended to read:
- 755 **35A-16-401 (Effective 05/06/26). Definitions.**
- 756 As used in this part:
- 757 (1) "Account" means the Homeless Shelter Cities Mitigation Restricted Account created in
758 Section 35A-16-402.
- 759 (2) "Authorized provider" means a nonprofit provider of homeless services that is
760 authorized by a third-tier eligible municipality to operate a temporary [~~winter response~~]
761 emergency shelter within the municipality[~~in accordance with Part 5, Winter Response~~
762 Plan Requirements].
- 763 (3) "Eligible municipality" means:
- 764 (a) a first-tier eligible municipality;
- 765 (b) a second-tier eligible municipality; or
- 766 (c) a third-tier eligible municipality.
- 767 (4) "Eligible services" means any activities or services that mitigate the impacts of the
768 location of an eligible shelter, including direct services, public safety services, and
769 emergency services, as further defined by rule made by the office in accordance with
770 Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- 771 (5) "Eligible shelter" means:
- 772 (a) for a first-tier eligible municipality, a homeless shelter that:
- 773 (i) has the capacity to provide temporary shelter to at least 80 individuals per night,
774 as verified by the office;
- 775 (ii) operates year-round; and

- 776 (iii) is not subject to restrictions that limit the hours, days, weeks, or months of
 777 operation;
- 778 (b) for a second-tier municipality, a homeless shelter that:
- 779 (i) has the capacity to provide temporary shelter to at least 25 individuals per night,
 780 as verified by the office;
- 781 (ii) operates year-round; and
- 782 (iii) is not subject to restrictions that limit the hours, days, weeks, or months of
 783 operation;~~and]~~
- 784 (c) an eligible shelter under Subsection (5)(a) or (b), if the homeless shelter operates for
 785 more than 365 continuous days, regardless of whether the homeless shelter is
 786 intended to operate as an emergency shelter, as long as the homeless shelter meets the
 787 requirements of an eligible shelter defined in Subsection (5)(a) or (b); and
- 788 ~~(d)~~ (d) for a third-tier eligible municipality, a homeless shelter that:
- 789 ~~(i)(A) has the capacity to provide temporary shelter to at least 50 individuals per~~
 790 ~~night, as verified by the office; and]~~
- 791 ~~[(B) operates for no less than three months during the period beginning October 1~~
 792 ~~and ending April 30 of the following year; or]~~
- 793 ~~[(ii)(A) meets the definition of a homeless shelter under Section 35A-16-501; and]~~
- 794 ~~[(B) contains beds that are utilized as part of a county's winter response plan under~~
 795 ~~Section 35A-16-502.]~~
- 796 (i) has the capacity to provide temporary shelter to at least 50 individuals per night,
 797 as verified by the office; and
- 798 (ii) operates for no less than three months during the period beginning October 1 and
 799 ending April 30 of the following year.
- 800 (6) "Homeless shelter" means a facility that provides or is proposed to provide temporary
 801 shelter to individuals experiencing homelessness.
- 802 (7) "Municipality" means a city or town.
- 803 (8) "Public safety services" means law enforcement, emergency medical services, or fire
 804 protection.
- 805 (9) "Third-tier eligible municipality" means a municipality that:
- 806 (a) as determined by the office, has or is proposed to have an eligible shelter within the
 807 municipality's geographic boundaries within the following fiscal year; and
- 808 (b) due to the location of an eligible shelter within the municipality's geographic
 809 boundaries, requires eligible services.

810 Section 15. Section **35A-16-1301** is enacted to read:

811 **Part 13. Temporary Shelter Expansion**

812 **35A-16-1301 (Effective 05/06/26). Temporary shelter expansion -- Definitions --**
813 **Requirements -- Mitigation.**

- 814 (1) As used in this part, "municipal consent" means the written approval from a
815 municipality in which a congregate shelter is located to the office and to a service
816 provider for temporary expansion of a congregate shelter's designated bed capacity.
- 817 (2) A service provider may expand the capacity limit of a congregate shelter up to 135% of
818 the shelter's designated bed capacity to provide temporary shelter to individuals
819 experiencing homelessness if:
- 820 (a) the service provider informs the office of the need to temporarily expand the capacity
821 limit of the shelter;
- 822 (b) the service provider requests approval from the municipality in which the congregate
823 shelter is located to expand the shelter's capacity;
- 824 (c) the municipality in which the congregate shelter is located provides municipal
825 consent to the service provider and the office; and
- 826 (d) the congregate shelter remains in compliance with the applicable state and local
827 building and fire codes.
- 828 (3) Municipal consent under this section may include reasonable conditions related to
829 public safety, coordination, or neighborhood mitigation.
- 830 (4) The authorization provided under this section does not modify any other applicable
831 licensing, health, or safety requirements.
- 832 (5) For purposes of formula distributions made under this chapter, the number of beds
833 operated under Subsection (2) may be counted as tier three beds.
- 834 (6) Additional bed capacity authorized under this section may be mitigated using funds
835 appropriated under this chapter as determined in rule made by the office in accordance
836 with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- 837 (7)(a) A congregate shelter may not operate at the expanded capacity limit described in
838 Subsection (2) after April 30, 2027.
- 839 (b) On or after May 1, 2027, a congregate shelter shall return to the congregate shelter's
840 capacity limit as determined by the congregate shelter's conditional use permit unless
841 otherwise authorized by the relevant municipality.

842 Section 16. Section **59-12-205** is amended to read:

843 **59-12-205 (Effective 01/01/27). Ordinances to conform with statutory**

844 **amendments -- Distribution of tax revenue -- Determination of population.**

845 (1) To maintain in effect sales and use tax ordinances adopted [~~pursuant to~~] in accordance
846 with Section 59-12-204, a county, city, or town shall adopt amendments to the county's,
847 city's, or town's sales and use tax ordinances:

848 (a) within 30 days of the day on which the state makes an amendment to an applicable
849 provision of Part 1, Tax Collection; and

850 (b) as required to conform to the amendments to Part 1, Tax Collection.

851 (2)(a) Except as provided in Subsections (3), (4), and (5) and subject to Subsection (6):

852 (i) 50% of each dollar collected from the sales and use tax authorized by this part
853 shall be distributed to each county, city, and town on the basis of the percentage
854 that the population of the county, city, or town bears to the total population of all
855 counties, cities, and towns in the state; and

856 (ii)(A) except as provided in Subsections (2)(a)(ii)(B), (C), (D), (E), and (F), 50%
857 of each dollar collected from the sales and use tax authorized by this part shall
858 be distributed to each county, city, and town on the basis of the location of the
859 transaction as determined under Sections 59-12-211 through 59-12-215;

860 (B) except as provided in Subsections (10) through (13), 50% of each dollar
861 collected from the sales and use tax authorized by this part within a project
862 area described in a project area plan adopted by the military installation
863 development authority under Title 63H, Chapter 1, Military Installation
864 Development Authority Act, shall be distributed to the military installation
865 development authority created in Section 63H-1-201;

866 (C) except as provided in Subsections (10) through (13), beginning July 1, 2024,
867 20% of each dollar collected from the sales and use tax authorized by this part
868 within a project area under Title 11, Chapter 58, Utah Inland Port Authority
869 Act, shall be distributed to the Utah Inland Port Authority, created in Section
870 11-58-201;

871 (D) except as provided in Subsections (10) through (13), 50% of each dollar
872 collected from the sales and use tax authorized by this part within the lake
873 authority boundary, as defined in Section 11-65-101, shall be distributed to the
874 Utah Lake Authority, created in Section 11-65-201, beginning the next full
875 calendar quarter following the creation of the Utah Lake Authority;[~~and~~]

876 (E) except as provided in Subsections (10) through (13), beginning January 1,
877 2026, 50% of each dollar collected from the sales and use tax authorized by

878 this part within the boundary of an eligible basic special district, as that term is
879 defined in Section 17B-1-1405, and if applicable, the boundary of a public
880 infrastructure district created by the eligible basic special district, shall be
881 distributed to the eligible basic special district[:] ; and

882 (F) except as provided in Subsections (10) through (13), beginning the first day of
883 a calendar quarter after the sales and use tax boundary for a major sporting
884 event venue zone is established, the commission, at least annually, shall
885 transfer an amount equal to 50% of the sales and use tax increment, as defined
886 in Section 63N-3-1701, from the sales and use tax imposed under this part on
887 transactions occurring within a sales and use tax boundary, as described in
888 Section 63N-3-1710, to the creating entity of the major sporting event venue
889 zone.

890 (b) Subsection (2)(a)(ii)(C) does not apply to sales and use tax revenue collected before
891 July 1, 2022.

892 (3) Beginning no sooner than January 1, 2026, and before application of Subsections (2), (4),
893 (5), and (6), and except as provided in Subsections (8) and (9), and as described in
894 Section 63N-3-610.1, beginning the first day of a calendar quarter after the year set in
895 the proposal and after the sales and use tax boundary for a convention center
896 reinvestment zone is established under Title 63N, Chapter 3, Part 6, Housing and Transit
897 Reinvestment Zone Act, the commission, at least annually, shall transfer an amount
898 equal to 100% of the sales and use tax increment, as defined in Section 63N-3-602, from
899 the sales and use tax imposed under this part on transactions occurring within an
900 established sales and use tax boundary, as defined in Section 63N-3-602, to the entity
901 specified in the convention center reinvestment zone proposal submitted[~~pursuant to~~] in
902 accordance with Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone
903 Act.

904 (4)(a) As used in this Subsection (4):

905 (i) "Eligible county, city, or town" means a county, city, or town that:

906 (A) for fiscal year 2012-13, received a tax revenue distribution under Subsection
907 (4)(b) equal to the amount described in Subsection (4)(b)(ii); and

908 (B) does not impose a sales and use tax under Section 59-12-2103 on or before
909 July 1, 2016.

910 (ii) "Minimum tax revenue distribution" means the total amount of tax revenue
911 distributions an eligible county, city, or town received from a tax imposed in

- 912 accordance with this part for fiscal year 2004-05.
- 913 (b) An eligible county, city, or town shall receive a tax revenue distribution for a tax
914 imposed in accordance with this part equal to the greater of:
- 915 (i) the payment required by Subsection (2); or
916 (ii) the minimum tax revenue distribution.
- 917 (c) For an eligible county, city, or town that qualifies to receive a distribution described
918 in this Subsection (4), the commission shall apply the provisions of this Subsection
919 (4) after the commission applies the provisions of Subsection (3).
- 920 (5)(a) For purposes of this Subsection (5):
- 921 (i)(A) "Annual local contribution" means, for a calendar year beginning on
922 January 1, 2027, the lesser of \$316,250 or an amount equal to 2.93% of the
923 participating local government's tax revenue distribution amount under
924 Subsection (2)(a)(i) for a previous fiscal year.
- 925 (B) "Annual local contribution" means, for a calendar year beginning on or after
926 January 1, 2028, the lesser of \$275,000 or an amount equal to 2.55% of the
927 participating local government's tax revenue distribution amount under
928 Subsection (2)(a)(i) for the previous fiscal year.
- 929 (ii) "Participating local government" means a county or municipality, as defined in
930 Section 10-1-104, that is not an eligible municipality certified in accordance with
931 Section 35A-16-404.
- 932 (b) For revenue collected from the tax authorized by this part that is distributed on or
933 after January 1, 2019, the commission, before making a tax revenue distribution
934 under Subsection (2)(a)(i) to a participating local government, shall:
- 935 (i) adjust a participating local government's tax revenue distribution under Subsection
936 (2)(a)(i) by:
- 937 (A) subtracting an amount equal to one-twelfth of the annual local contribution for
938 each participating local government from the participating local government's
939 tax revenue distribution; and
- 940 (B) if applicable, reducing the amount described in Subsection (5)(b)(i)(A) by an
941 amount equal to one-twelfth of \$250 for each bed that is available at all
942 homeless shelters located within the boundaries of the participating local
943 government, as reported to the commission by the Office of Homeless Services
944 in accordance with Section 35A-16-405; and
- 945 (ii) deposit the resulting amount described in Subsection (5)(b)(i) into the Homeless

- 946 Shelter Cities Mitigation Restricted Account created in Section 35A-16-402.
- 947 (c) For a participating local government that qualifies to receive a distribution described
948 in Subsection (4), the commission shall apply the provisions of this Subsection (5)
949 after the commission applies the provisions of Subsections (3) and (4).
- 950 (6)(a) As used in this Subsection (6):
- 951 (i) "Annual dedicated sand and gravel sales tax revenue" means an amount equal to
952 the total revenue an establishment described in NAICS Code 327320, Ready-Mix
953 Concrete Manufacturing, of the 2022 North American Industry Classification
954 System of the federal Executive Office of the President, Office of Management
955 and Budget, collects and remits under this part for a calendar year.
- 956 (ii) "Sand and gravel" means sand, gravel, or a combination of sand and gravel.
- 957 (iii) "Sand and gravel extraction site" means a pit, quarry, or deposit that:
- 958 (A) contains sand and gravel; and
959 (B) is assessed by the commission in accordance with Section 59-2-201.
- 960 (iv) "Ton" means a short ton of 2,000 pounds.
- 961 (v) "Tonnage ratio" means the ratio of:
- 962 (A) the total amount of sand and gravel, measured in tons, sold during a calendar
963 year from all sand and gravel extraction sites located within a county, city, or
964 town; to
965 (B) the total amount of sand and gravel, measured in tons, sold during the same
966 calendar year from sand and gravel extraction sites statewide.
- 967 (b) For purposes of calculating the ratio described in Subsection (6)(a)(v), the
968 commission shall:
- 969 (i) use the gross sales data provided to the commission as part of the commission's
970 property tax valuation process; and
971 (ii) if a sand and gravel extraction site operates as a unit across municipal or county
972 lines, apportion the reported tonnage among the counties, cities, or towns based on
973 the percentage of the sand and gravel extraction site located in each county, city,
974 or town, as approximated by the commission.
- 975 (c)(i) Each July, the commission shall distribute from total collections under this part
976 an amount equal to the annual dedicated sand and gravel sales tax revenue for the
977 preceding calendar year to each county, city, or town in the same proportion as the
978 county's, city's, or town's tonnage ratio for the preceding calendar year.
- 979 (ii) The commission shall ensure that the revenue distributed under this Subsection

- 980 (6)(c) is drawn from each jurisdiction's collections in proportion to the
981 jurisdiction's share of total collections for the preceding 12-month period.
- 982 (d) A county, city, or town shall use revenue described in Subsection (6)(c) for class B
983 or class C roads.
- 984 (7)(a) Population figures for purposes of this section shall be based on, to the extent not
985 otherwise required by federal law:
- 986 (i) the most recent estimate from the Utah Population Committee created in Section
987 63C-20-103; or
- 988 (ii) if the Utah Population Committee estimate is not available for each municipality
989 and unincorporated area, the adjusted sub-county population estimate provided by
990 the Utah Population Committee in accordance with Section 63C-20-104.
- 991 (b) The population of a county for purposes of this section shall be determined only
992 from the unincorporated area of the county.
- 993 (8)(a) As used in Subsections (8) and (9):
- 994 (i) "Applicable percentage" means, for a convention center reinvestment zone created
995 under Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act,
996 for sales occurring within the qualified development zone described in Subsection
997 (8)(a)(ii), 100% of the sales and use tax increment, as that term is defined in
998 Section 63N-3-602, from the sales and use tax:
- 999 (A) imposed by a city of the first class in a county of the first class under this part;
1000 (B) imposed by a city of the first class in a county of the first class under Section
1001 59-12-402.1;
- 1002 (C) imposed by a county of the first class under Section 59-12-1102; and
1003 (D) imposed by a county of the first class under Part 22, Local Option Sales and
1004 Use Taxes for Transportation Act.
- 1005 (ii) "Qualified development zone" means the sales and use tax boundary of a
1006 convention center reinvestment zone created under Title 63N, Chapter 3, Part 6,
1007 Housing and Transit Reinvestment Zone Act.
- 1008 (iii) "Qualifying construction materials" means construction materials that are:
- 1009 (A) delivered to a delivery outlet within a qualified development zone; and
1010 (B) intended to be permanently attached to real property within the qualified
1011 development zone.
- 1012 (b) For a sale of qualifying construction materials, the commission shall distribute the
1013 product calculated in Subsection (8)(c) to a qualified development zone if the seller

- 1014 of the construction materials:
- 1015 (i) establishes a delivery outlet with the commission within the qualified development
- 1016 zone;
- 1017 (ii) reports the sales of the construction materials to the delivery outlet described in
- 1018 Subsection (8)(b)(i); and
- 1019 (iii) does not report the sales of the construction materials on a simplified electronic
- 1020 return.
- 1021 (c) For the purposes of Subsection (8)(b), the product is equal to:
- 1022 (i) the sales price or purchase price of the qualifying construction materials; and
- 1023 (ii) the applicable percentage.
- 1024 (9)(a) As used in this Subsection (9), "Schedule J sale" means a sale reported on State
- 1025 Tax Commission Form TC-62M, Schedule J, or a substantially similar form as
- 1026 designated by the commission.
- 1027 (b) Revenue generated from the applicable percentage by a Schedule J sale within a
- 1028 qualified development zone shall be distributed into the jurisdiction that would have
- 1029 received the revenue in the absence of the qualified development zone.
- 1030 (10)(a) As used in this Subsection (10):
- 1031 (i) "Applicable percentage" means:
- 1032 (A) for a project area adopted by the military installation development authority
- 1033 under Title 63H, Chapter 1, Military Installation Development Authority Act,
- 1034 for sales occurring within a qualified development zone described in
- 1035 Subsection (10)(a)(iii)(A):
- 1036 (I) 50% of the revenue from the sales and use tax imposed under this part;
- 1037 (II) 100% of the revenue from the sales and use tax imposed by the military
- 1038 installation development authority under Section 59-12-401; and
- 1039 (III) 100% of the revenue from the sales and use tax imposed by the military
- 1040 installation development authority under Section 59-12-402;[-and]
- 1041 (B) for a project area under Title 11, Chapter 58, Utah Inland Port Authority Act,
- 1042 for sales occurring within a qualified development zone described in
- 1043 Subsection (10)(a)(iii)(B), 20% of the revenue from the sales and use tax under
- 1044 this part;
- 1045 (C) for the lake authority boundary, as defined in Section 11-65-101, for sales
- 1046 occurring within the qualified development zone described in Subsection
- 1047 (10)(a)(ii)(C), 50% of the revenue from the sales and use tax under this part;

- 1048 (D) for the Utah Fairpark Area Investment and Restoration District, created in
 1049 Section 11-70-201, for sales occurring within the qualified development zone
 1050 described in Subsection (10)(a)(iii)(D), 100% of the revenue from the sales and
 1051 use tax imposed by the Utah Fairpark Area Investment and Restoration District
 1052 under Sections 59-12-401 and 59-12-402; and
- 1053 (E) for an eligible basic special district created under Title 17B, Chapter 1, Part 14,
 1054 Basic Special District, for sales occurring within a qualified development zone
 1055 described in Subsection (10)(a)(iii)(E), 50% of the revenue from the sales and
 1056 use tax imposed under this part[;] .
- 1057 (ii) "Eligible basic special district" means the same as that term is defined in Section
 1058 17B-1-1405.
- 1059 (iii) "Qualified development zone" means the sales and use tax boundary of:
- 1060 (A) a project area adopted by the military installation development authority under
 1061 Title 63H, Chapter 1, Military Installation Development Authority Act;
 1062 (B) a project area under Title 11, Chapter 58, Utah Inland Port Authority Act;
 1063 (C) the lake authority boundary, as defined in Section 11-65-101;
 1064 (D) the Utah Fairpark Investment and Restoration District, created in Section
 1065 11-70-201; or
 1066 (E) the area within the boundary of an eligible basic special district, and if
 1067 applicable, the boundary of a public infrastructure district created by the basic
 1068 special district[;] .
- 1069 (iv) "Qualifying construction materials" means construction materials that are:
- 1070 (A) delivered to a delivery outlet within a qualified development zone; and
 1071 (B) intended to be permanently attached to real property within the qualified
 1072 development zone.
- 1073 (b) For a sale of qualifying construction materials, the commission shall distribute the
 1074 product calculated in Subsection (10)(c) to a qualified development zone if the seller
 1075 of the construction materials:
- 1076 (i) establishes a delivery outlet with the commission within the qualified development
 1077 zone;
- 1078 (ii) reports the sales of the construction materials to the delivery outlet described in
 1079 Subsection (10)(b)(i); and
- 1080 (iii) does not report the sales of the construction materials on a simplified electronic
 1081 return[; ~~or~~] .

- 1082 (c) For the purposes of Subsection (10)(b), the product is equal to:
- 1083 (i) the sales price or purchase price of the qualifying construction materials; and
- 1084 (ii) the applicable percentage.
- 1085 (11)(a) As used in this Subsection (11):
- 1086 (i) "Applicable percentage" means the same as that term is defined in Subsection (10).
- 1087 (ii) "Qualified development zone" means the same as that term is defined in
- 1088 Subsection (10).
- 1089 (iii) "Schedule J sale" means a sale reported on State Tax Commission Form
- 1090 TC-62M, Schedule J or a substantially similar form as designated by the
- 1091 commission.
- 1092 (b) Revenue generated from the applicable percentage by a Schedule J sale within a
- 1093 qualified development zone shall be distributed to the jurisdiction that would have
- 1094 received the revenue in the absence of the qualified development zone.
- 1095 (12)(a) As used in this Subsection (12):
- 1096 (i) "Applicable percentage" means, for a major sporting event venue zone created
- 1097 under Title 63N, Chapter 3, Part 17, Major Sporting Event Venue Zone Act, for
- 1098 sales occurring within the qualified development zone described in Subsection
- 1099 (12)(a)(ii):
- 1100 (A) 50% of the sales and use tax increment, as that term is defined in Section
- 1101 63N-3-601, from the sales and use tax imposed under this part;
- 1102 (B) 100% of the revenue from the sales and use tax imposed by the creating entity
- 1103 of a major sporting event venue zone under Section 59-12-401; and
- 1104 (C) 100% of the revenue from the sales and use tax imposed by the creating entity
- 1105 of a major sporting event venue zone under Section 59-12-402.
- 1106 (ii) "Qualified development zone" means the sales and use tax boundary, as described
- 1107 in Section 63N-3-1710, of a major sporting event venue zone created under Title
- 1108 63N, Chapter 3, Part 17, Major Sporting Event Venue Zone Act.
- 1109 (iii) "Qualifying construction materials" means construction materials that are:
- 1110 (A) delivered to a delivery outlet within a qualified development zone; and
- 1111 (B) intended to be permanently attached to real property within the qualified
- 1112 development zone.
- 1113 (b) For a sale of qualifying construction materials, the commission shall distribute the
- 1114 product calculated in Subsection (12)(c) to the creating entity of a qualified
- 1115 development zone if the seller of the construction materials:

1116 (i) establishes a delivery outlet with the commission within the qualified development
1117 zone;

1118 (ii) reports the sales of the construction materials to the delivery outlet described in
1119 Subsection (12)(b)(i); and

1120 (iii) does not report the sales of the construction materials on a simplified electronic
1121 return[;or] .

1122 (c) For the purposes of Subsection (12)(b), the product is equal to:

1123 (i) the sales price or purchase price of the qualifying construction materials; and

1124 (ii) the applicable percentage.

1125 (13)(a) As used in this Subsection (13):

1126 (i) "Applicable percentage" means the same as that term is defined in Subsection (12).

1127 (ii) "Qualified development zone" means the same as that term is defined in
1128 Subsection (12).

1129 (iii) "Schedule J sale" means a sale reported on State Tax Commission Form
1130 TC-62M, Schedule J or a substantially similar form as designated by the
1131 commission.

1132 (b) Revenue generated from the applicable percentage by a Schedule J sale within a
1133 qualified development zone shall be distributed to the jurisdiction that would have
1134 received the revenue in the absence of the qualified development zone.

1135 Section 17. Section **63J-4-202** is amended to read:

1136 **63J-4-202 (Effective 05/06/26). Appointment of executive director.**

1137 (1)[(a)] The governor shall appoint[;] an executive director of the office to serve at the
1138 governor's pleasure[;] .

1139 [(i) an executive director of the office; and]

1140 [(ii) a state homelessness coordinator.]

1141 [(b) The state homelessness coordinator shall serve as:]

1142 [(i) an advisor to the governor on homelessness issues; and]

1143 [(ii) the chief administrative officer of the Office of Homeless Services created in
1144 Section 35A-1-202.]

1145 (2) The governor shall establish the executive director's salary within the salary range fixed
1146 by the Legislature in Title 67, Chapter 22, State Officer Compensation.

1147 Section 18. **Repealer.**

1148 This bill repeals:

1149 Section **35A-16-101, Title.**

1150 Section **35A-16-209, Cost measures.**

1151 Section 19. **Effective Date.**

1152 (1) Except as provided in Subsection (2), this bill takes effect May 6, 2026.

1153 (2) The actions affecting Section 59-12-205 (**Effective 01/01/27**) take effect on January 1,
1154 2027.