

SB0239S01 compared with SB0239

~~{Omitted text}~~ shows text that was in SB0239 but was omitted in SB0239S01

inserted text shows text that was not in SB0239 but was inserted into SB0239S01

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1

State Homeless Campus Amendments
2026 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Luz Escamilla
House Sponsor: Sandra Hollins



2

3 **LONG TITLE**

4 **General Description:**

5 This bill enacts provisions relating to a state homeless services campus.

6 **Highlighted Provisions:**

7 This bill:

- 8 ▶ defines and amends terms;
- 9 ▶ requires the coordinator for the Office of Homeless Services (coordinator), in cooperation with the Utah Homeless Services Board (board), to create a comprehensive plan for homeless services campus (campus) residents and the surrounding community within a certain time frame after announcing or recommending the location of a campus that addresses:

- 12 • safety;
- 13 • transportation;
- 14 • use of the homeless services campus as an emergency shelter;
- 15 • the types of treatment and support services offered to residents;
- 16 • treatment and support service provider and staff requirements; and
- 17 • other certain services;

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- 18 ▶ requires the coordinator, in cooperation with the board, to coordinate with certain public safety
entities to receive incident reports created in response to certain services provided to the {homeless
services-} campus and the {homeless services-} campus's residents, employees, or volunteers;
- 22 ▶ requires the homeless services ombudsman (ombudsman) to conduct an investigation of the
{homeless services-} campus under certain circumstances;
- 24 ▶ allows the ombudsman to make recommendations and assist the coordinator in creating a
remediation plan if a {homeless services-} campus is found in violation of law;
- 26 ▶ provides a certain time for the {homeless services-} campus to cure a violation;
- 27 ▶ allows the ombudsman to recommend that the {homeless services-} campus cease operations
under certain circumstances;
- 29 ▶ provides that the Legislature may withhold {homeless services-} campus funding in certain
circumstances;
- 31 ▶ gives the ombudsman rulemaking authority to implement and carry out a {homeless services-}
campus investigation;
- 33 ▶ creates reporting requirements; and
- 34 ▶ makes technical and conforming changes.

35 **Money Appropriated in this Bill:**

36 None

37 **Other Special Clauses:**

38 None

39 **Utah Code Sections Affected:**

40 AMENDS:

41 **35A-16-102** , as last amended by Laws of Utah 2025, First Special Session, Chapter 16

42 **35A-16-203** , as last amended by Laws of Utah 2025, Chapter 530

43 **35A-16-1002** , as enacted by Laws of Utah 2025, Chapter 422

44 ENACTS:

45 **35A-16-213** , Utah Code Annotated 1953

46 **35A-16-1003** , Utah Code Annotated 1953

47

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

49 Section 1. Section **35A-16-102** is amended to read:

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50 **35A-16-102. Definitions.**

As used in this chapter:

- 52 (1) "Board" means the Utah Homeless Services Board created in Section 35A-16-204.
- 53 (2) "Chief executive officer" means the same as that term is defined in Section 11-51-102.
- 54 (3) "Client" means an individual who is experiencing homelessness or an individual at risk of becoming
homeless.
- 56 (4) "Collaborative applicant" means the entity designated by a continuum of care to collect and submit
data and apply for funds on behalf of the continuum of care, as required by the United States
Department of Housing and Urban Development.
- 59 (5) "Continuum of care" means a regional or local planning body designated by the United States
Department of Housing and Urban Development to coordinate services for individuals experiencing
homelessness within an area of the state.
- 62 (6) "Coordinator" means the state homelessness coordinator appointed under Section 63J-4-202.
- 64 (7) "County of the first class" means the same as that term is defined in Section 17-60-104.
- 65 (8) "County of the second class" means the same as that term is defined in Section 17-60-104.
- 67 (9) "Eligible services" means any activities or services that mitigate the impacts of the location of an
eligible shelter, including direct services, public safety services, and emergency services, as further
defined by rule made by the office in accordance with Title 63G, Chapter 3, Utah Administrative
Rulemaking Act.
- 71 (10) "Executive committee" means the executive committee of the board.
- 72 (11) "Exit destination" means:
- 73 (a) a homeless situation;
- 74 (b) an institutional situation;
- 75 (c) a temporary housing situation;
- 76 (d) a permanent housing situation; or
- 77 (e) other situation.
- 78 (12) "First-tier eligible municipality" means a municipality that:
- 79 (a) is located within:
- 80 (i) a county of the first or second class, as classified in Section 17-60-104; or
- 81 (ii) a county of the third class, as classified in Section 17-60-104, if the municipality has a population of
100,000 or more;

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- 83 (b) as determined by the office, has or is proposed to have an eligible shelter within the municipality's
geographic boundaries within the following fiscal year;
- 85 (c) due to the location of an eligible shelter within the municipality's geographic boundaries, requires
eligible services; and
- 87 (d) is certified as a first-tier eligible municipality in accordance with Section 35A-16-404.
- 88 (13) ~~{ "Homeless services campus" means a state homeless services campus facility where individuals
who are experiencing homelessness have access to emergency shelter, behavioral and mental health
treatment, and support services at one location.~~
- 91 ~~{(14)}~~ "Homeless Management Information System" or "HMIS" means an information technology
system that:
- 93 (a) is used to collect client-level data and data on the provision of housing and services to homeless
individuals and individuals at risk of homelessness in the state; and
- 95 (b) meets the requirements of the United States Department of Housing and Urban Development.
- 97 ~~{(14)}~~ ~~{(15)}~~ "Homeless services budget" means the comprehensive annual budget and overview
of all homeless services available in the state described in Subsection 35A-16-203(1)(b).
- 96 (15)
- (a) "Homeless services campus" means a state homeless services campus facility where individuals
who are experiencing homelessness have access to emergency shelter, behavioral and mental health
treatment, and support services at one location.
- 99 (b) "Homeless services campus" does not include a:
- 100 (i) behavioral health transition facility, as that term is defined in Section 64-13-1;
- 101 (ii) community correctional center, as that term is defined in Section 64-13-1;
- 102 (iii) correctional facility, as that term is defined in Section 77-16b-102;
- 103 (iv) medical, nursing, or psychiatric facility;
- 104 (v) microshelter community; or
- 105 (vi) noncongregate or overflow shelter.
- 100 (16) "Incident report" means a chronological account of an incident, including factual information
gathered in response to an emergency, public safety service, or an investigation by law enforcement,
emergency medical services, or fire protection.
- 103 ~~{(15)}~~ (17) "Local homeless council" means a local planning body designated by the steering committee
to coordinate services for individuals experiencing homelessness within an area of the state.

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- 106 [(16)] (18) "Office" means the Office of Homeless Services.
- 107 [(17)] (19) "Residential, vocational and life skills program" means the same as that term is defined in
Section 13-53-102.
- 109 [(18)] (20) "Second-tier eligible municipality" means a municipality that:
- 110 (a) is located within:
- 111 (i) a county of the fourth, fifth, or sixth class; or
- 112 (ii) a county of the third class, if the municipality has a population of less than 100,000;
- 114 (b) as determined by the office, has or is proposed to have an eligible shelter within the municipality's
geographic boundaries within the following fiscal year;
- 116 (c) due to the location of an eligible shelter within the municipality's geographic boundaries, requires
eligible services; and
- 118 (d) is certified as a second-tier eligible municipality in accordance with Section 35A-16-404.
- 120 [(19)] (21)
- (a) "Service provider" means a state agency, a local government, or a private organization that provides
services to clients.
- 122 (b) "Service provider" includes{:}
- 123 ~~{(i)}~~ a correctional facility ~~[and]~~, the Administrative Office of the Courts, and a state homeless
services campus facility ~~{[.]} ; and~~
- 124 ~~{(ii) a state homeless services campus facility.}~~
- 125 [(20)] (22) "Steering committee" means the Utah Homeless Network Steering Committee created in
Section 35A-16-206.
- 127 [(21)] (23) "Strategic plan" means the statewide strategic plan to minimize homelessness in the state
described in Subsection 35A-16-203(1)(c).
- 129 [(22)] (24) "Type of homelessness" means:
- 130 (a) chronic homelessness;
- 131 (b) episodic homelessness;
- 132 (c) situational homelessness; or
- 133 (d) family homelessness.
- 139 Section 2. Section **35A-16-203** is amended to read:
- 140 **35A-16-203. Powers and duties of the coordinator.**
- 136 (1) The coordinator shall:

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- 137 (a) coordinate the provision of homeless services in the state;
- 138 (b) in cooperation with the board, develop and maintain a comprehensive annual budget and overview
of all homeless services available in the state, which homeless services budget shall receive final
approval by the board;
- 141 (c) in cooperation with the board, create a statewide strategic plan to minimize homelessness in the
state, which strategic plan shall receive final approval by the board;
- 144 (d) in cooperation with the board, oversee funding provided for the provision of homeless services,
which funding shall receive final approval by the board, including funding from the:
- 147 (i) Pamela Atkinson Homeless Account created in Section 35A-16-301;
- 148 (ii) Homeless to Housing Reform Restricted Account created in Section 35A-16-303; and
- 150 (iii) Homeless Shelter Cities Mitigation Restricted Account created in Section 35A-16-402;
- 152 (e) provide administrative support to and serve as a member of the board;
- 153 (f) at the governor's request, report directly to the governor on issues regarding homelessness in the
state and the provision of homeless services in the state; ~~[f] and]~~
- 155 (g) in cooperation with the board, create a comprehensive plan to address the needs of a homeless
services campus in accordance with Section 35A-16-213, which **comprehensive plan** shall receive
final approval by the board; and
- 158 ~~[(g)]~~ (h) report directly to the president of the Senate and the speaker of the House of Representatives
at least twice each year on issues regarding homelessness in the state and the provision of homeless
services in the state.
- 161 (2) The coordinator, in cooperation with the board, shall ensure that the homeless services budget
described in Subsection (1)(b) includes an overview and coordination plan for all funding sources
for homeless services in the state, including from state agencies, continuum of care organizations,
housing authorities, local governments, federal sources, and private organizations.
- 166 (3) The coordinator, in cooperation with the board and taking into account the metrics established and
data reported in accordance with Section 35A-16-211, shall ensure that the strategic plan described
in Subsection (1)(c):
- 169 (a) outlines specific goals and measurable benchmarks for minimizing homelessness in the state and for
coordinating services for individuals experiencing homelessness among all service providers in the
state;

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- (b) identifies best practices or innovative strategies and recommends improvements to the provision of services to individuals experiencing homelessness in the state to ensure the services are provided in a safe, cost-effective, and efficient manner;
- 175 (c) identifies best practices or innovative strategies and recommends improvements in coordinating the delivery of services to the variety of populations experiencing homelessness in the state, including through the use of electronic databases and improved data sharing among all service providers in the state;
- 179 (d) identifies gaps and recommends solutions in the delivery of services to the variety of populations experiencing homelessness in the state; and
- 181 (e) takes into consideration the success of the HOME Court Pilot Program established in Section 26B-5-382.
- 183 (4) In overseeing funding for the provision of homeless services as described in Subsection (1)(d), the coordinator:
- 185 (a) shall prioritize the funding of programs and providers that have a documented history of successfully reducing the number of individuals experiencing homelessness, reducing the time individuals spend experiencing homelessness, moving individuals experiencing homelessness to permanent housing, or reducing the number of individuals who return to experiencing homelessness;
- 190 (b) except for a program or provider providing services to victims of domestic violence, may not approve funding to a program or provider that does not enter into a written agreement with the office to collect and share HMIS data regarding the provision of services to individuals experiencing homelessness so that the provision of services can be coordinated among state agencies, local governments, and private organizations; and
- 196 (c) if the board has approved a funding formula developed by the steering committee, as described in Section 35A-16-205:
- 198 (i) except as provided in Subsection (4)(c)(ii), shall utilize that funding formula in disbursing funds for the provision of homeless services; and
- 200 (ii) shall ensure that any federal funds not subject to the funding formula are disbursed in accordance with any applicable federal requirements.
- 202 (5) In cooperation with the board, the coordinator shall update the annual statewide budget and the strategic plan described in this section on an annual basis.
- 204 (6)

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

(b) The written report shall include:

(i) the homeless services budget;

(ii) the strategic plan;

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

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

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

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

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

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

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

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

Section 3. Section 3 is enacted to read:

35A-16-213. Homeless services campus requirements.

(1)

(1){(a)} No later than 30 days after the day on which a homeless services campus location is announced or recommended, the coordinator, in cooperation with the board, shall develop a comprehensive plan to address the needs of the residents of the homeless services campus and surrounding community.

(b) If a homeless services campus location is announced or recommended on or before May 6, 2026, the coordinator, in cooperation with the board, shall develop a comprehensive plan to address the needs of the residents of the homeless services campus and surrounding community no later than June 5, 2026.

(2) The plan described in Subsection (1) shall include specific strategies and implementation measures that address the following:

(a) criminal justice assistance;

(b) emergency shelter requirements and services;

(c) employment and vocational support;

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- 235 (d) {in-patient} behavioral and mental health services, including addiction recovery services;
- 237 (e) individualized case management;
- 238 (f) transitional housing services;
- 239 (g) transportation requirements;
- 240 (h) safety measures for the residents, service providers, staff, and surrounding community, including:
- 242 (i) the use of security equipment in and around the homeless services campus facility and property; and
- 244 (ii) providing for physical security in and around the homeless services campus facility and property for
24 hours per day, seven days per week, and every day of the year;
- 247 (i) service provider requirements;
- 248 (j) support staff requirements; and
- 249 (k) other treatment and support services that provide for the needs of an individual who is experiencing
homelessness.
- 251 (3)
- (a) For {in-patient} behavioral and mental health services provided at the homeless services campus:
- 253 (i) the service provider shall be licensed or certified in accordance with Title 58, Chapter 60,
Mental Health Professional Practice Act;
- 255 (ii) the service provider-patient ratio shall be no more than three patients per service provider; and
- 257 (iii) the support staff shall have sufficient experience in behavioral and mental health services to
assist in managing a patient's needs.
- 259 (b) For treatment and support services other than {in-patient} behavioral and mental health services:
- 261 (i) the service providers and staff shall be licensed or certified as required by law or have the relevant
experience required to provide proper treatment or support to the individual who is experiencing
homelessness;
- 264 (ii) the service provider-client ratio shall meet the industry standards for the service provided; and
- 266 (iii) the number of on-site support staff shall be sufficient to ensure a safe environment for the homeless
services campus, homeless services campus residents, and surrounding community.
- 269 (4) The coordinator shall, in cooperation with the board:
- 270 (a) post and maintain in places readily accessible to homeless services campus residents:
- 271 (i) on-campus services available to homeless services campus residents; and
- 272 (ii) the process to file a complaint with the ombudsman's office, as described in Subsection
35A-16-1002(1)(a);

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- 274 (b) coordinate with law enforcement, emergency medical services, and fire protection to receive
incident reports created in response to emergency calls and other services provided by law
enforcement, emergency medical services, or fire protection to the homeless services campus and
the homeless services campus's residents, employees, or volunteers;
- 279 (c) provide a copy of an incident report received under Subsection (4)(b) to the ombudsman for the
ombudsman to conduct an investigation in accordance with Section 35A-16-1003;
- 282 (d) cooperate with homeless services campus investigations conducted by the ombudsman, as described
in Section 35A-16-1003; and
- 284 (e) include in the annual report required by Section 35A-16-203, a written report on the homeless
services campus's progress and adherence to the plan described in this section.

294 Section 4. Section **35A-16-1002** is amended to read:

295 **35A-16-1002. Homeless services provider ombudsman -- Powers and duties -- Reporting**
requirements.

290 (1) The ombudsman shall:

291 (a) provide training and information to public agencies, private entities, individuals, service providers,
and other interested parties across the state regarding:

293 (i) the role and duties of the ombudsman;

294 (ii) the rights and privileges of an individual experiencing homelessness;

295 (iii) services available in the state to an individual experiencing homelessness; and

296 (iv) how to submit a complaint; ~~[-{f} and]~~

297 (b) develop a website to provide the information described in this Subsection (1) in a form that is easily
accessible[-] ; and

299 (c) in accordance with Section 35A-16-1003, conduct an investigation in response to an incident report
received under Section 35A-16-213.

301 (2) The ombudsman may:

302 (a) decline to investigate a complaint or continue an investigation of a complaint;

303 (b) conduct an investigation on the ombudsman's own initiative;

304 (c) conduct further investigation upon the request of the complainant; or

305 (d) recommend that a complainant pursue other available remedies before pursuing a complaint with the
ombudsman.

307 (3)

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- (a) A service provider shall display an ombudsman program information poster containing the information described in Subsection (1) in a location that is easily visible to all clients, volunteers, and staff members.
- 310 (b) The office is responsible for providing the posters, which shall include a phone number and a link to the website described in Subsection (1)(b).
- 312 (4) After the ombudsman receives a complaint, the ombudsman shall notify the complainant and the office:
- 314 (a) whether the ombudsman will investigate the complaint; and
- 315 (b) if the ombudsman decides not to investigate the complaint, the reason for the decision.
- 317 (5)
- (a) If the ombudsman decides to investigate a complaint, the ombudsman shall determine whether a service provider's act or omission with respect to a particular client:
- 320 (i) is contrary to state or federal law;
- 321 (ii) places a client's health or safety at risk;
- 322 (iii) is made without an adequate statement of reason; or
- 323 (iv) is based on irrelevant, immaterial, or erroneous grounds.
- 324 (b) If the ombudsman determines, after completing the investigation described in Subsection (5)(a), that a service provider's act or omission violates state or federal law, the ombudsman shall:
- 327 (i) prepare a written report of the findings and recommendations, as described in Subsection (6), if any, of each investigation;
- 329 (ii) provide a copy of the report to the claimant; and
- 330 (iii) provide a copy of the report and recommendations, if any, to the office and the appropriate county or district attorney or the attorney general.
- 332 (6) The ombudsman may make recommendations to the office to consider:
- 333 (a) policies or procedures that may need to be addressed, modified, or canceled; or
- 334 (b) any other recommendations necessary to carry out the purposes of this part.
- 335 (7)
- (a) On or before October 1 of each year, the ombudsman shall provide a written report to the office for inclusion in the office's annual report described in Section 35A-16-208.
- 338 (b) The written report shall include:
- 339 (i) the total number of complaints filed with the ombudsman;

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- 340 (ii) the report described in Subsection 35A-16-1003(4);
341 [(ii)] (iii) the number of complaints the ombudsman investigated;
342 [(iii)] (iv) reoccurring themes among complaints, if any; and
343 [(iv)] (v) any recommendations described in Subsection (6).
344 (8)
(a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the office shall
make rules to implement this part.
346 (b) The rules described in Subsection (8)(a) shall include a maximum time within which the
ombudsman is required to respond to and complete an investigation of a complaint under
Subsections (4) and (5).
349 (9) Subsection (2)(d) does not prevent a complainant from making a complaint directly with the
ombudsman before pursuing any other available remedies provided for in state or federal law.
359 Section 5. Section 5 is enacted to read:
360 **35A-16-1003. Homeless services campus investigation requirements.**
354 (1) In accordance with Section 35A-16-1002, the ombudsman shall conduct an investigation of a
homeless services campus's compliance of Section 35A-16-213:
356 (a) beginning on the day on which a homeless services campus begins to provide services and for every
six months following the initial investigation; or
358 (b) no later than 10 days from the day on which the ombudsman receives:
359 (i) a complaint under Section 35A-16-1002; or
360 (ii) an incident report under Section 35A-16-213.
361 (2) If the ombudsman, after completing the investigation described in this section, identifies a violation
of Section 35A-16-213, the ombudsman shall, on or before 10 days after the day on which the
ombudsman identifies the violation:
364 (a) prepare a written report of the violation and recommendations, if any, for remediation;
366 (b) notify and provide the coordinator, board, and homeless services campus with the written report
described in Subsection (2)(a);
368 (c) in consultation with the coordinator, work with the homeless services campus to create a
remediation plan; and
370 (d) provide the homeless services campus 30 days after the day on which the remediation plan is created
to cure the violation.

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- 372 (3)
- (a) If the ombudsman determines, after completing the investigation described in this section, that a homeless services campus employee's, volunteer's, or resident's act or omission violates state or federal law, the ombudsman shall immediately:
- 375 (i) prepare a written report of the findings and recommendations, if any, of the investigation;
- 377 (ii) provide a copy of the report to the office, coordinator, and board; and
- 378 (iii) provide a copy of the report to the appropriate county or district attorney or the attorney general.
- 380 (b) The ombudsman may recommend to the office that a homeless services campus ceases operation if:
- 382 (i) the ombudsman receives at least three complaints or incident reports in a calendar quarter;
- 384 (ii) the homeless services campus fails to cure a violation within the time provided under Subsection (2)(d); or
- 386 (iii) after an investigation under Subsection (2), or after a determination made under Subsection (3)(a), the ombudsman finds there is a measurable decrease in the safety, security, and well-being of the homeless services campus residents and surrounding community.
- 390 (c) If the ombudsman recommends to the office that a homeless services campus ceases operation for reasons described in this Subsection (3), the office shall have 30 days from the day on which the office receives the report described in Subsection (3)(a) to cease all operations at the homeless services campus other than for emergency shelter services, which emergency shelter services may continue in accordance with this chapter.
- 396 (4) On or before October 1 of each year, the ombudsman shall prepare and submit a report to the Executive Appropriations Committee on:
- 398 (a) the number and nature of complaints or incident reports received;
- 399 (b) the number of investigations conducted and the resulting compliance determination; and
- 401 (c) if a violation is identified:
- 402 (i) the remediation plan and homeless services campus's progress under Subsection (2)(d); or
- 404 (ii) the report and recommendation described in Subsection (3).
- 405 (5) The Legislature may withhold future state appropriations to a homeless services campus if the homeless services campus fails to cure a violation of Section 35A-16-213 within the time provided under Subsection (2)(d).

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(6) The report described in Subsection (4) shall be included in the office's annual report described in Section 35A-16-208.

410 (7) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the office shall make rules to implement this part.

412 (8) Nothing in this section prevents an individual from providing public safety services, including law enforcement, emergency medical services, and fire protection, to the homeless services campus, the homeless services campus's residents, employees, or volunteers, or the surrounding community.

423 Section 6. **Effective date.**

Effective Date.

This bill takes effect on May 6, 2026.

2-10-26 8:55 AM