

Effective 7/1/2021

Part 3
Services for Individuals Experiencing Homelessness

35A-16-301 Creation of Pamela Atkinson Homeless Account.

- (1) There is created a restricted account within the General Fund known as the "Pamela Atkinson Homeless Account."
- (2) Private contributions received under this section and Section 59-10-1306 shall be deposited into the restricted account to be used only for programs described in this chapter.
- (3) Money shall be appropriated from the restricted account to the board in accordance with Title 63J, Chapter 1, Budgetary Procedures Act.
- (4) The board may accept transfers, grants, gifts, bequests, or money made available from any source to implement this part.

Amended by Chapter 338, 2024 General Session

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

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

- (iii) providing homeless individuals and families with needed stabilization services;
 - (iv) decreasing the state's homeless rate;
 - (v) implementing a coordinated entry system with consistent assessment tools to provide appropriate and timely access to services for homeless individuals and families;
 - (vi) providing access to caseworkers or other individualized support for homeless individuals and families;
 - (vii) encouraging employment and increased financial stability for individuals and families being diverted from or exiting homelessness;
 - (viii) creating additional affordable housing for state residents;
 - (ix) providing services and support to prevent homelessness among at-risk individuals and adults;
 - (x) providing services and support to prevent homelessness among at-risk children, adolescents, and young adults;
 - (xi) preventing the reoccurrence of homelessness among individuals and families exiting homelessness; and
 - (xii) providing medical respite care for homeless individuals where the homeless individuals can access medical care and other supportive services; and
- (e) address the needs identified in the strategic plan described in Section 35A-16-203 for inclusion in the annual written report described in Section 35A-1-109.
- (4) In addition to the other provisions of this section, in determining the awarding of a grant or contract under this section to design, build, create, or renovate a facility that will provide shelter or other resources for the homeless, the board, with the concurrence of the coordinator, may consider whether the facility will be:
- (a) located near mass transit services;
 - (b) located in an area that meets or will meet all zoning regulations before a final dispersal of funds;
 - (c) safe and welcoming both for individuals using the facility and for members of the surrounding community; and
 - (d) located in an area with access to employment, job training, and positive activities.
- (5) In accordance with Subsection (4), and subject to the approval of the board, with the concurrence of the coordinator, the following may recommend a site location, acquire a site location, and hold title to real property, buildings, fixtures, and appurtenances of a facility that provides or will provide shelter or other resources for the homeless:
- (a) the county executive of a county of the first class on behalf of the county of the first class, if the facility is or will be located in the county of the first class in a location other than Salt Lake City;
 - (b) the state;
 - (c) a nonprofit entity approved by the board, with the concurrence of the coordinator; and
 - (d) a mayor of a municipality on behalf of the municipality where a facility is or will be located.
- (6)
- (a) If a homeless shelter commits to provide any amount of matching funds under this Subsection (6), the board, with the concurrence of the coordinator, may award a grant for the ongoing operations of the homeless shelter.
 - (b) In awarding a grant under this Subsection (6), the board, with the concurrence of the coordinator, shall consider:
 - (i) the number of beds available at the homeless shelter;
 - (ii) the number and quality of the homeless services provided by the homeless shelter; and
 - (iii) the amount of matching funds provided by the homeless shelter.

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

Amended by Chapter 204, 2024 General Session

Amended by Chapter 338, 2024 General Session

35A-16-303 Homeless to Housing Reform Restricted Account.

- (1) There is created a restricted account within the General Fund known as the Homeless to Housing Reform Restricted Account.
- (2) The restricted account shall be administered by the office for the purposes described in Section 35A-16-302.
- (3) The state treasurer shall invest the money in the restricted account according to the procedures and requirements of Title 51, Chapter 7, State Money Management Act, except that interest and other earnings derived from the restricted account shall be deposited into the restricted account.
- (4) The restricted account shall be funded by:
 - (a) appropriations made to the account by the Legislature; and
 - (b) private donations, grants, gifts, bequests, or money made available from any other source to implement this section and Section 35A-16-302.
- (5) Subject to appropriation, the coordinator shall use restricted account money as described in Section 35A-16-302.

Amended by Chapter 302, 2023 General Session