

Effective 7/1/2021

Repealed 7/1/2022

35A-16-306 Grant eligible entity application process for Homeless Shelter Cities Mitigation Restricted Account funds.

- (1) As used in this section:
 - (a) "Account" means the restricted account created in Section 35A-16-304.
 - (b) "Grant" means an award of funds from the account.
 - (c) "Grant eligible entity" means:
 - (i) the Department of Public Safety; or
 - (ii) a city, town, or metro township that:
 - (A) has a homeless shelter within the city's, town's, or metro township's geographic boundaries;
 - (B) has increased community, social service, or public safety service needs due to the location of a homeless shelter within the city's, town's, or metro township's geographic boundaries; and
 - (C) is certified as a grant eligible entity in accordance with Section 35A-16-307.
 - (d) "Homeless shelter" means a facility that:
 - (i) provides temporary shelter to homeless individuals;
 - (ii) has the capacity to provide temporary shelter to:
 - (A) for a county of the first or second class, at least 60 individuals per night; or
 - (B) for a county of the third, fourth, fifth, or sixth class, at least 25 individuals per night; and
 - (iii) operates year-round and is not subject to restrictions that limit the hours, days, weeks, or months of operation.
 - (e) "Public safety services" means law enforcement, emergency medical services, and fire protection.
- (2) Subject to the availability of funds, a grant eligible entity may request a grant to mitigate the impacts of the location of a homeless shelter:
 - (a) through employment of additional personnel to provide public safety services in and around a homeless shelter; or
 - (b) for a grant eligible entity that is a city, town, or metro township, through:
 - (i) development of a community and neighborhood program within the city's, town's, or metro township's boundaries; or
 - (ii) provision of social services within the city's, town's, or metro township's boundaries.
- (3)
 - (a) In accordance with Title 63G, Chapter 4, Administrative Procedures Act, the office shall make rules governing:
 - (i) the process for determining whether there is sufficient revenue to the account to offer a grant program for the next fiscal year; and
 - (ii) the process for notifying grant eligible entities about the availability of grants for the next fiscal year.
 - (b)
 - (i) If the homelessness council offers a grant program for the next fiscal year, the homelessness council shall set aside time on the agenda of a homelessness council meeting that occurs on or after July 1 and on or before November 30 to allow a grant eligible entity to present a request for account funds for the next fiscal year.
 - (ii) A grant eligible entity may present a request for account funds by:
 - (A) sending an electronic copy of the request to the homelessness council before the meeting; and

- (B) appearing at the meeting to present the request.
- (c) The request described in Subsection (3)(b) shall contain:
 - (i) for a grant request to develop a community and neighborhood program:
 - (A) a proposal outlining the components of a community and neighborhood program;
 - (B) a summary of the grant eligible entity's proposed use of any grant awarded; and
 - (C) the amount requested;
 - (ii) for a grant request to provide social services:
 - (A) a proposal outlining the need for additional social services;
 - (B) a summary of the grant eligible entity's proposed use of any grant awarded; and
 - (C) the amount requested;
 - (iii) for a grant request to employ additional personnel to provide public safety services:
 - (A) data relating to the grant eligible entity's public safety services for the current fiscal year, including crime statistics and calls for public safety services;
 - (B) data showing an increase in the grant eligible entity's need for public safety services in the next fiscal year;
 - (C) a summary of the grant eligible entity's proposed use of any grant awarded; and
 - (D) the amount requested; or
 - (iv) for a grant request to provide some combination of the activities described in Subsections (3)(c)(i) through (iii), the information required by this Subsection (3) for each activity for which the grant eligible entity requests a grant.
- (d)
 - (i) On or before November 30, a grant eligible entity that received a grant during the previous fiscal year shall file electronically with the homelessness council a report that includes:
 - (A) a summary of the amount of the grant that the grant eligible entity received and the grant eligible entity's specific use of those funds;
 - (B) an evaluation of the grant eligible entity's effectiveness in using the grant to address the grant eligible entity's increased needs due to the location of a homeless shelter; and
 - (C) any proposals for improving the grant eligible entity's effectiveness in using a grant that the grant eligible entity may receive in future fiscal years.
 - (ii) The homelessness council may request additional information as needed to make the evaluation described in Subsection (3)(e).
- (e) The homelessness council shall evaluate a grant request made in accordance with this Subsection (3) using the following factors:
 - (i) the strength of the proposal that the grant eligible entity provides to support the request;
 - (ii) if the grant eligible entity received a grant during the previous fiscal year, the efficiency with which the grant eligible entity used the grant during the previous fiscal year;
 - (iii) the availability of alternative funding for the grant eligible entity to address the grant eligible entity's needs due to the location of a homeless shelter; and
 - (iv) any other considerations identified by the committee.
- (f)
 - (i) After making the evaluation described in Subsection (3)(e) for each grant eligible entity that makes a grant request and subject to other provisions of this Subsection (3)(f), the homelessness council shall vote to:
 - (A) prioritize the grant requests; and
 - (B) recommend a grant amount for each grant eligible entity.
 - (ii) The homelessness council shall support the prioritization and recommendation described in Subsection (3)(f)(i) with findings on each of the factors described in Subsection (3)(e).

- (g) The homelessness council shall submit a list that prioritizes the grant requests and recommends a grant amount for each grant eligible entity that requested a grant to:
 - (i) the governor for inclusion in the governor's budget to be submitted to the Legislature; and
 - (ii) the Social Services Appropriations Subcommittee of the Legislature for approval in accordance with Section 63J-1-802.
- (4)
 - (a) Subject to Subsection (4)(b), the office shall disburse the revenue in the account as a grant to a grant eligible entity:
 - (i) after making the disbursements required by Section 35A-16-305; and
 - (ii) subject to the availability of funds in the account:
 - (A) in the order of priority that the Legislature gives to each eligible grant entity under Section 63J-1-802; and
 - (B) in the amount that the Legislature approves to a grant eligible entity under Section 63J-1-802.
 - (b) In accordance with Title 63G, Chapter 4, Administrative Procedures Act, the office shall make rules governing the process for the office to determine the timeline within the fiscal year for funding the grants.
- (5) On or before October 1, the office, in cooperation with the homelessness council, shall:
 - (a) submit an annual written report electronically to the Social Services Appropriations Subcommittee of the Legislature that gives a complete accounting of the office's disbursement of the money from the account under this section for the previous fiscal year; and
 - (b) include information regarding the disbursement of money from the account under this section in the annual report described in Section 35A-1-109.