

1                   **HOUSING AND HOMELESS REFORM INITIATIVE**

2                                   **AMENDMENTS**

3   2017 GENERAL SESSION

4   STATE OF UTAH

5                                   **Chief Sponsor: Francis D. Gibson**

6   Senate Sponsor: Ann Millner

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**LONG TITLE**

8 **General Description:**

9                   This bill modifies provisions related to homelessness and homeless shelters.

10 **Highlighted Provisions:**

11                   This bill:

12                   ▶ modifies the ordinances and other regulations that a municipality may enforce for a  
13 homeless shelter;

14                   ▶ modifies the requirements for the Homeless Coordinating Committee and the  
15 Housing and Community Development Division to award grants or contracts related  
16 to a facility that will provide shelter or other services to the homeless; and

17                   ▶ makes technical changes.

18 **Money Appropriated in this Bill:**

19                   This bill appropriates:

20                   ▶ to the General Fund Restricted -- Homeless to Housing Reform Restricted Account,  
21 as a one-time appropriation:

22                                   • from the General Fund, ~~\$→ [\$9,898,000]~~ \$9,850,000 ←\$ ;

23                   ▶ to the General Fund Restricted -- Homeless to Housing Reform Restricted Account,  
24 as an ongoing appropriation:

25                                   • from the General Fund, \$250,000;

26                   ▶ to the Department of Workforce Services -- Housing and Community Development,  
27

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28 as a one-time appropriation:

29 • from the General Fund Restricted -- Homeless to Housing Reform Restricted  
 30 Account, ~~\$→ [\$9,898,000]~~ \$9,850,000 ←\$ ;

31 ▶ to the Department of Workforce Services -- Housing and Community Development,  
 32 as an ongoing appropriation:

33 • from the General Fund Restricted -- Homeless to Housing Reform Restricted  
 34 Account, \$250,000; and

35 ▶ to the Olene Walker Housing Loan Fund, as a one-time appropriation:

36 • from the General Fund, \$700,000.

37 **Other Special Clauses:**

38 This bill provides a special effective date.

39 **Utah Code Sections Affected:**

40 AMENDS:

41 **10-9a-526**, as enacted by Laws of Utah 2016, Chapter 131

42 **35A-8-604**, as enacted by Laws of Utah 2016, Chapter 278

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

45 Section 1. Section **10-9a-526** is amended to read:

46 **10-9a-526. Homeless shelters.**

47 (1) As used in this section, "homeless shelter" means a facility that:

48 (a) is or is proposed to be located within a municipality;

49 (b) provides or is proposed to provide temporary shelter to homeless [~~families with~~  
 50 ~~children~~] individuals; and

51 (c) has or is proposed to have the capacity to provide temporary shelter to at least [~~200~~  
 52 50 individuals per night~~]; and~~].

53 [~~(d) began operation on or before January 1, 2016.~~]

54 (2) A municipality may not adopt or enforce an ordinance or other regulation that  
 55 prohibits a homeless shelter;

56 (a) from operating year-round~~;~~ if the homeless shelter began operation on or before  
 57 January 1, 2016; or

58 (b) from being built if the site of the homeless shelter is approved by and receives

152 (i) is located within a municipality;  
 153 (ii) provides temporary shelter year-round to homeless individuals; and  
 154 (iii) has the capacity to provide temporary shelter to at least [~~200~~] 50 individuals per  
 155 night[;].

156 [~~(iv) began operation on or before January 1, 2016;~~]  
 157 [~~(v) did not operate more than nine-months per year before January 1, 2016; and~~]  
 158 [~~(vi) currently operates year-round.~~]

159 (b) In addition to the other provisions of this section, the Homeless Coordinating  
 160 Committee, with the concurrence of the division, may award a grant or contract:

- 161 (i) to a municipality to improve sidewalks, pathways, or roadways near a homeless  
 162 shelter to provide greater safety to homeless individuals; and
- 163 (ii) to a municipality to hire [~~a~~] one or more peace [~~officer~~] officers to provide greater  
 164 safety to homeless individuals.

165 [~~(7)~~] (9) The division may expend money from the Homeless to Housing Reform  
 166 Restricted Account to offset actual division and Homeless Coordinating Committee expenses  
 167 related to administering this section.

168 Section 3. **Appropriation.**

169 ~~H~~→ [The] For Item 1 and Item 2, the ←~~H~~ following sums of money are appropriated for  
 169a the fiscal year beginning July 1,  
 170 2017, and ending June 30, 2018. These are additions to amounts previously appropriated for  
 171 fiscal year 2018. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures  
 172 Act, the Legislature appropriates the following sums of money from the funds or accounts  
 173 indicated for the use and support of the government of the state of Utah.

174 ITEM 1

175 To Fund and Account Transfers -- General Fund Restricted -- Homeless to  
 176 Housing Reform Restricted Account

177	<u>From General Fund, One-time</u> \$→ [	<u>\$9,898,000] \$9,850,000 ←\$</u>
178	<u>From General Fund</u>	<u>\$250,000</u>

179 Schedule of Programs:

180 General Fund Restricted -- Homeless to Housing Reform

181	<u>Restricted Account</u>	<u>\$→ [\$10,148,000] \$10,100,000 ←\$</u>
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182 ITEM 2

183 To Department of Workforce Services -- Housing and Community Development  
 184 From General Fund Restricted -- Homeless to Housing  
 185 Reform Restricted Account, One-time  ~~\$→ [ \$9,898,000 ] \$9,850,000 ←\$~~  
 186 From General Fund Restricted -- Homeless to Housing  
 187 Reform Restricted Account \$250,000  
 188 Schedule of Programs  ~~\$→ : ←\$~~

189 Homeless to Housing Reform Program  ~~\$→ [ \$10,148,000 ] \$10,100,000 ←\$~~

189a **Ĥ→ For Item 3, the following sums of money are appropriated for the fiscal year beginning**  
 189b **July 1, 2016, and ending June 30, 2017. These are additions to amounts previously**  
 189c **appropriated for fiscal year 2017. Under the terms and conditions of Title 63J, Chapter 1,**  
 189d **Budgetary Procedures Act, the Legislature appropriates the following sums of money from the**  
 189e **funds or accounts indicated for the use and support of the government of the state of Utah. ←Ĥ**  
 190 **ITEM 3**

191 To Fund and Account Transfers -- Olene Walker Housing Loan Fund  
 192 From General Fund, One-time \$700,000

193 Schedule of Programs:  
 194 Olene Walker Housing Loan Fund \$700,000

195 The Legislature intends that:

196 (1) under Section 63J-1-603 appropriations provided under this section not lapse at the  
 197 close of fiscal year  ~~Ĥ→ 2017 or ←Ĥ 2018; \$→ [and] ←\$~~

198 (2) the one-time appropriation to the Olene Walker Housing Loan Fund be used by the  
 199 Olene Walker Housing Loan Fund Board to  ~~Ĥ→ [loan capital funds to the St. Anne's Center]~~

199a **provide a grant in fiscal year 2017 to a homeless shelter and soup kitchen located in a city of**  
 199b **the second class and in a county of the second class that:**

199c **(a) is open year-round;**

199d **(b) provides meals and other services to homeless families and individuals; and**

199e **(c) has the capacity to provide temporary shelter to at least 250 individuals per night**  ~~←Ĥ \$→ [~~  
 199f **]; and**

199g **(3) any ongoing or future appropriations to the Homeless to Housing Reform Restricted**  
 199h **Account that may be awarded by the Homeless Coordinating Committee for the purpose of**  
 199i **funding one or more homeless shelters in a city of the first class or a county of the first class**  
 199j **are contingent upon city and county leaders working with stakeholders to close the Salt Lake**  
 199k **Community Shelter located at 210 South Rio Grande Street, Salt Lake City, Utah, on or before**  
 199l **June 30, 2019.**  ~~←\$~~

200 Section 4. Effective date.

201 If approved by two-thirds of all the members elected to each house, this bill takes effect  
 202 upon approval by the governor, or the day following the constitutional time limit of Utah