

Representative Steve Eliason proposes the following substitute bill:

HOMELESS SERVICES AMENDMENTS

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Steve Eliason

Senate Sponsor: Todd Weiler

LONG TITLE

General Description:

This bill modifies provisions related to county property taxes and the provision of services to the homeless.

Highlighted Provisions:

This bill:

- ▶ provides that certain county revenue that may be collected through property taxes is annually deposited into the Homeless to Housing Reform Restricted Account;
- ▶ modifies the responsibilities of the Housing and Community Development Division and the Homeless Coordinating Committee in awarding grants or contracts using money from the Homeless to Housing Reform Restricted Account;
- ▶ provides that municipalities with certain qualifying homeless shelters may receive an annual payment; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides retrospective operation.

Utah Code Sections Affected:



26 AMENDS:

27 [35A-8-604](#), as enacted by Laws of Utah 2016, Chapter 278

28 [35A-8-605](#), as enacted by Laws of Utah 2016, Chapter 278

29 ENACTS:

30 [59-2-1801](#), Utah Code Annotated 1953

31

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

33 Section 1. Section [35A-8-604](#) is amended to read:

34 **[35A-8-604. Uses of Homeless to Housing Reform Restricted Account.](#)**

35 (1) (a) For purposes of this Subsection (1), a "qualifying shelter" means a shelter that:

36 (i) is located within a municipality;

37 (ii) provides temporary shelter to homeless individuals;

38 (iii) has the capacity to provide temporary shelter to at least 200 individuals per night;

39 (iv) currently operates year-round and is not subject to zoning restrictions that limit the

40 hours, days, weeks, or months of operation; and

41 (v) was available to provide temporary shelter each night during the previous calendar

42 year.

43 (b) Beginning in 2018, a municipality may annually provide to the division a report on

44 or before March 1 in a form prescribed by the division describing:

45 (i) the number of beds that were available each night in a qualifying shelter in the

46 municipality during the previous calendar year; and

47 (ii) an emergency shelter plan that describes how the municipality will address

48 emergency sheltering needs of homeless individuals beyond the capacity of the qualifying

49 shelter.

50 (c) After verifying that the information provided by a municipality in Subsection (1)(b)

51 is accurate, the division shall award a payment of \$900 per bed to the municipality on or before

52 April 1 from the Housing Reform Restricted Account created in Section [35A-8-605](#).

53 [(+)] (2) With the concurrence of the division and in accordance with this section, the

54 Homeless Coordinating Committee members designated in Subsection [35A-8-601](#)(2) may

55 award ongoing or one-time grants or contracts funded from the Homeless to Housing Reform

56 Restricted Account [~~created in Section [35A-8-605](#)].~~

57 ~~[(2)]~~ (3) Before final approval of a grant or contract awarded under this section, the
58 Homeless Coordinating Committee and the division shall provide information regarding the
59 grant or contract to, and shall consider the recommendations of, the Legislative Management
60 Committee and the Executive Appropriations Committee.

61 ~~[(3)]~~ (4) As a condition of receiving money, including any ongoing money, from the
62 Homeless to Housing Reform Restricted Account, an entity awarded a grant or contract under
63 this section shall provide detailed and accurate reporting on at least an annual basis to the
64 division and the Homeless Coordinating Committee that describes:

65 (a) how money provided from the Homeless to Housing Reform Restricted Account
66 has been spent by the entity; and

67 (b) the progress towards measurable outcome-based benchmarks agreed to between the
68 entity and the Homeless Coordinating Committee before the awarding of the grant or contract.

69 ~~[(4)]~~ (5) In determining the awarding of a grant or contract under this section, the
70 Homeless Coordinating Committee, with the concurrence of the division, shall:

71 (a) ensure that the services to be provided through the grant or contract will be
72 provided in a cost-effective manner;

73 (b) consider the advice of committee members designated in Subsection [35A-8-601\(3\)](#);

74 (c) give priority to a project or contract that will include significant additional or
75 matching funds from a private organization or local government entity;

76 (d) ensure that the project or contract will target the distinct housing needs of one or
77 more at-risk or homeless subpopulations, which may include:

78 (i) families with children;

79 (ii) transitional-aged youth;

80 (iii) single men or single women;

81 (iv) veterans;

82 (v) victims of domestic violence;

83 (vi) individuals with behavioral health disorders, including mental health or substance
84 use disorders;

85 (vii) individuals who are medically frail or terminally ill;

86 (viii) individuals exiting prison or jail; or

87 (ix) individuals who are homeless without shelter; and

88 (e) consider whether the project will address one or more of the following goals:

89 (i) diverting homeless or imminently homeless individuals and families from

90 emergency shelters by providing better housing-based solutions;

91 (ii) meeting the basic needs of homeless individuals and families in crisis;

92 (iii) providing homeless individuals and families with needed stabilization services;

93 (iv) decreasing the state's homeless rate;

94 (v) implementing a coordinated entry system with consistent assessment tools to

95 provide appropriate and timely access to services for homeless individuals and families;

96 (vi) providing access to caseworkers or other individualized support for homeless

97 individuals and families;

98 (vii) encouraging employment and increased financial stability for individuals and

99 families being diverted from or exiting homelessness;

100 (viii) creating additional affordable housing for state residents;

101 (ix) providing services and support to prevent homelessness among at-risk individuals

102 and adults;

103 (x) providing services and support to prevent homelessness among at-risk children,

104 adolescents, and young adults; and

105 (xi) preventing the reoccurrence of homelessness among individuals and families

106 exiting homelessness.

107 [~~5~~] (6) In addition to the other provisions of this section, in determining the awarding

108 of a grant or contract under this section to design, build, create, or renovate a facility that will

109 provide shelter or other resources for the homeless, the Homeless Coordinating Committee,

110 with the concurrence of the division:

111 (a) may consider whether the facility will be:

112 (i) located near mass transit services;

113 (ii) located in an area that meets or will meet all zoning regulations before a final

114 dispersal of funds;

115 (iii) safe and welcoming both for individuals using the facility and for members of the

116 surrounding community; and

117 (iv) located in an area with access to employment, job training, and positive activities;

118 and

119 (b) may not award a grant or contract under this Subsection [~~(5)~~] (6), unless the grant
120 or contract is endorsed by the county and, if applicable, the municipality where the facility will
121 be located.

122 [~~(6)~~] (7) (a) As used in this Subsection [~~(6)~~] (7), "homeless shelter" means a facility
123 that:

- 124 (i) is located within a municipality;
- 125 (ii) provides temporary shelter to homeless individuals;
- 126 (iii) has capacity to provide temporary shelter to at least 200 individuals per night;
- 127 (iv) began operation on or before January 1, 2016;
- 128 (v) did not operate more than nine-months per year before January 1, 2016; and
- 129 (vi) currently operates year-round.

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

- 132 (i) to a municipality to improve sidewalks, pathways, or roadways near a homeless
133 shelter to provide greater safety to homeless individuals; and
- 134 (ii) to a municipality to hire a peace officer to provide greater safety to homeless
135 individuals.

136 [~~(7)~~] (8) The division may expend money from the Homeless to Housing Reform
137 Restricted Account to offset actual division and Homeless Coordinating Committee expenses
138 related to administering this section.

139 Section 2. Section **35A-8-605** is amended to read:

140 **35A-8-605. Homeless to Housing Reform Restricted Account.**

- 141 (1) There is created a restricted account within the General Fund known as the
142 Homeless to Housing Reform Restricted Account.
- 143 (2) The restricted account shall be administered by the division for the purposes
144 described in Section [35A-8-604](#).
- 145 (3) The state treasurer shall invest the money in the restricted account according to the
146 procedures and requirements of Title 51, Chapter 7, State Money Management Act, except that
147 interest and other earnings derived from the restricted account shall be deposited in the
148 restricted account.
- 149 (4) The restricted account shall be funded by:

150 (a) the homeless to housing services payment described in Section 59-2-1801;
151 ~~[(a)]~~ (b) appropriations made to the account by the Legislature; and
152 ~~[(b)]~~ (c) private donations, grants, gifts, bequests, or money made available from any
153 other source to implement this section and Section 35A-8-604.

154 (5) Subject to appropriation, the director shall use account money as described in
155 Section 35A-8-604.

156 (6) The Homeless Coordinating Committee, in cooperation with the division, shall
157 submit an annual written report to the department that gives a complete accounting of the use
158 of money from the account for inclusion in the annual report described in Section 35A-1-109.

159 Section 3. Section 59-2-1801 is enacted to read:

160 **59-2-1801. Homeless to housing services payment.**

161 (1) Beginning on or before January 30, 2018, each county treasurer on behalf of each
162 county shall annually transfer on or before January 30 a homeless to housing services payment
163 to the state treasurer as follows:

164 (a) for a county of the first class, an amount equal to the product of \$1.70 and the
165 population of the county;

166 (b) for a county of the second class, an amount equal to the product of 75 cents and the
167 population of the county;

168 (c) for a county of the third class, an amount equal to the product of 65 cents and the
169 population of the county;

170 (d) for a county of the fourth class, an amount equal to the product of 55 cents and the
171 population of the county;

172 (e) for a county of the fifth class, an amount equal to the product of 50 cents and the
173 population of the county; and

174 (f) for a county of the sixth class, an amount equal to the product of 40 cents and the
175 population of the county.

176 (2) The state treasurer shall deposit the homeless to housing services payment received
177 from each county described in Subsection (1) into the Homeless to Housing Reform Restricted
178 Account created in Section 35A-8-605.

179 (3) (a) Population figures for purposes of this section shall be based on the most recent
180 official census or census estimate of the United States Census Bureau.

181 (b) If a needed population estimate is not available from the United States Census
182 Bureau, population figures shall be derived from the Utah Population Estimates Committee
183 created by executive order of the governor.

184 (4) (a) For a calendar year beginning on January 1, 2017, at the request of a legislative
185 body of a county, the commission shall adjust the county's certified tax rate as provided in
186 Subsection (4)(b).

187 (b) For purposes of Subsection (4)(a), the adjustment to a county's certified tax rate is
188 equal to the amount of the homeless to housing services payment described in Subsection (1)
189 that will be transferred to the state treasurer on or before January 30, 2018.

190 (c) A county is not required to comply with the notice and public hearing requirements
191 of Section [59-2-919](#) for an adjustment to the certified tax rate described in this Subsection (4).

192 **Section 4. Retrospective operation.**

193 This bill has retrospective operation for a taxable year beginning on or after January 1,
194 2017.