

Representative Karianne Lisonbee proposes the following substitute bill:

HOMELESS SERVICES AMENDMENTS

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Steve Eliason

Senate Sponsor: Todd Weiler

6	Cosponsors:	Brian S. King	Mike Schultz
7	Joel K. Briscoe	Michael E. Noel	Robert M. Spendlove
8	Gage Froerer	Jeremy A. Peterson	Elizabeth Weight
9	Francis D. Gibson	Dixon M. Pitcher	John R. Westwood
10	Sandra Hollins	Val K. Potter	Mark A. Wheatley
11	Gregory H. Hughes	Angela Romero	
12	Eric K. Hutchings	Douglas V. Sagers	

LONG TITLE

General Description:

This bill amends provisions related to the Homeless to Housing Reform Restricted Account.

Highlighted Provisions:

This bill:

- ▶ modifies the membership of the Homeless Coordinating Committee;
- ▶ modifies provisions related to the awarding of grants by the Homeless Coordinating Committee and the Division of Housing and Community Development from the Homeless to Housing Reform Restricted Account; and
- ▶ makes technical changes.



25 **Money Appropriated in this Bill:**

26 This bill appropriates:

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

29 • from the General Fund, \$6,600,000; and

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

32 • from the General Fund Restricted -- Homeless to Housing Reform Restricted
33 Account, \$6,600,000.

34 **Other Special Clauses:**

35 None

36 **Utah Code Sections Affected:**

37 AMENDS:

38 **35A-8-601**, as last amended by Laws of Utah 2016, Chapter 278

39 **35A-8-604**, as last amended by Laws of Utah 2017, Chapter 21



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

42 Section 1. Section **35A-8-601** is amended to read:

43 **35A-8-601. Creation.**

44 (1) There is created within the division the Homeless Coordinating Committee.

45 (2) (a) The committee shall consist of the following members:

46 (i) the lieutenant governor or the lieutenant governor's designee;

47 (ii) the state planning coordinator or the coordinator's designee;

48 (iii) the state superintendent of public instruction or the superintendent's designee;

49 (iv) the chair of the board of trustees of the Utah Housing Corporation or the chair's
50 designee;

51 (v) the executive director of the Department of Workforce Services or the executive
52 director's designee;

53 (vi) the executive director of the Department of Corrections or the executive director's
54 designee;

55 (vii) the executive director of the Department of Health or the executive director's

56 designee;

57 (viii) the executive director of the Department of Human Services or the executive
58 director's designee;

59 (ix) the mayor of Salt Lake City or the mayor's designee; [~~and~~]

60 (x) the mayor of Salt Lake County[-] or the mayor's designee;

61 (xi) the mayor of Ogden or the mayor's designee;

62 (xii) the mayor of Midvale or the mayor's designee; and

63 (xiii) the mayor of St. George or the mayor's designee.

64 (b) (i) The lieutenant governor shall serve as the chair of the committee.

65 (ii) The lieutenant governor may appoint a vice chair from among committee members,
66 who shall conduct committee meetings in the absence of the lieutenant governor.

67 (3) The governor may appoint as members of the committee:

68 (a) representatives of local governments, local housing authorities, local law
69 enforcement agencies;

70 (b) representatives of federal and private agencies and organizations concerned with
71 the homeless, persons with a mental illness, the elderly, single-parent families, persons with a
72 substance use disorder, and persons with a disability; and

73 (c) a resident of Salt Lake County.

74 (4) (a) Except as required by Subsection (4)(b), as terms of current committee members
75 appointed under Subsection (3) expire, the governor shall appoint each new member or
76 reappointed member to a four-year term.

77 (b) Notwithstanding the requirements of Subsection (4)(a), the governor shall, at the
78 time of appointment or reappointment, adjust the length of terms to ensure that the terms of
79 committee members are staggered so that approximately half of the committee is appointed
80 every two years.

81 (c) A member appointed under Subsection (3) may not be appointed to serve more than
82 three consecutive terms.

83 (5) When a vacancy occurs in the membership for any reason, the replacement is
84 appointed for the unexpired term.

85 (6) A member may not receive compensation or benefits for the member's service, but
86 may receive per diem and travel expenses in accordance with:

- 87 (a) Section 63A-3-106;
- 88 (b) Section 63A-3-107; and
- 89 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
- 90 63A-3-107.

91 Section 2. Section 35A-8-604 is amended to read:

92 **35A-8-604. Uses of Homeless to Housing Reform Restricted Account.**

93 (1) With the concurrence of the division and in accordance with this section, the
94 Homeless Coordinating Committee members designated in Subsection 35A-8-601(2) may
95 award ongoing or one-time grants or contracts funded from the Homeless to Housing Reform
96 Restricted Account created in Section 35A-8-605.

97 (2) Before final approval of a grant or contract awarded under this section, the
98 Homeless Coordinating Committee and the division shall provide written information
99 regarding the grant or contract to, and shall consider the recommendations of, the Executive
100 Appropriations Committee.

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

105 (a) how money provided from the [~~Homeless to Housing Reform Restricted Account~~]
106 restricted account has been spent by the entity; and

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

109 (4) In determining the awarding of a grant or contract under this section, the Homeless
110 Coordinating Committee, with the concurrence of the division, shall:

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

113 (b) consider the advice of committee members designated in Subsection 35A-8-601(3);

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

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

- 118 (i) families with children;
- 119 (ii) transitional-aged youth;
- 120 (iii) single men or single women;
- 121 (iv) veterans;
- 122 (v) victims of domestic violence;
- 123 (vi) individuals with behavioral health disorders, including mental health or substance
- 124 use disorders;
- 125 (vii) individuals who are medically frail or terminally ill;
- 126 (viii) individuals exiting prison or jail; or
- 127 (ix) individuals who are homeless without shelter; and
- 128 (e) consider whether the project will address one or more of the following goals:
- 129 (i) diverting homeless or imminently homeless individuals and families from
- 130 emergency shelters by providing better housing-based solutions;
- 131 (ii) meeting the basic needs of homeless individuals and families in crisis;
- 132 (iii) providing homeless individuals and families with needed stabilization services;
- 133 (iv) decreasing the state's homeless rate;
- 134 (v) implementing a coordinated entry system with consistent assessment tools to
- 135 provide appropriate and timely access to services for homeless individuals and families;
- 136 (vi) providing access to caseworkers or other individualized support for homeless
- 137 individuals and families;
- 138 (vii) encouraging employment and increased financial stability for individuals and
- 139 families being diverted from or exiting homelessness;
- 140 (viii) creating additional affordable housing for state residents;
- 141 (ix) providing services and support to prevent homelessness among at-risk individuals
- 142 and adults;
- 143 (x) providing services and support to prevent homelessness among at-risk children,
- 144 adolescents, and young adults; and
- 145 (xi) preventing the reoccurrence of homelessness among individuals and families
- 146 exiting homelessness.
- 147 (5) In addition to the other provisions of this section, in determining the awarding of a
- 148 grant or contract under this section to design, build, create, or renovate a facility that will

149 provide shelter or other resources for the homeless, the Homeless Coordinating Committee,
150 with the concurrence of the division, may consider whether the facility will be:

151 (a) located near mass transit services;

152 (b) located in an area that meets or will meet all zoning regulations before a final
153 dispersal of funds;

154 (c) safe and welcoming both for individuals using the facility and for members of the
155 surrounding community; and

156 (d) located in an area with access to employment, job training, and positive activities.

157 (6) In accordance with Subsection (5), and subject to the approval of the Homeless
158 Coordinating Committee with the concurrence of the division, the following may recommend a
159 site location, acquire a site location, and hold title to real property, buildings, fixtures, and
160 appurtenances of a facility that provides or will provide shelter or other resources for the
161 homeless:

162 (a) the county executive of a county of the first class on behalf of the county of the first
163 class, if the facility is or will be located in the county of the first class in a location other than
164 Salt Lake City;

165 (b) the state;

166 (c) a nonprofit entity approved by the Homeless Coordinating Committee with the
167 concurrence of the division; and

168 (d) a mayor of a municipality on behalf of the municipality where a facility is or will be
169 located.

170 (7) Subject to the requirements of Subsections (5) and (6), on or before March 30,
171 2017, the county executive of a county of the first class shall make a recommendation to the
172 Homeless Coordinating Committee identifying a site location for one facility within the county
173 of the first class that will provide shelter for the homeless in a location other than Salt Lake
174 City.

175 (8) (a) As used in this Subsection (8) and Subsection (9), "homeless shelter" means a
176 facility that:

177 (i) is located within a municipality;

178 (ii) provides temporary shelter year-round to homeless individuals; and

179 (iii) has the capacity to provide temporary shelter to at least 50 individuals per night.

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

182 (i) to a municipality to improve sidewalks, pathways, or roadways near a homeless
183 shelter to provide greater safety to homeless individuals; and

184 (ii) to a municipality to hire one or more peace officers to provide greater safety to
185 homeless individuals.

186 (9) If a homeless shelter commits to provide matching funds equal to the total grant
187 awarded under this Subsection (9), the Homeless Coordinating Committee, with the
188 concurrence of the division, may award money for the ongoing operations of the homeless
189 shelter.

190 ~~[(9)]~~ (10) The division may expend money from the [~~Homeless to Housing Reform~~
191 ~~Restricted Account~~] restricted account to offset actual division and Homeless Coordinating
192 Committee expenses related to administering this section.

193 Section 3. **Appropriation.**

194 For Item 1 and Item 2, the following sums of money are appropriated for the fiscal year
195 beginning July 1, 2018, and ending June 30, 2019. These are additions to amounts previously
196 appropriated for fiscal year 2019. Under the terms and conditions of Title 63J, Chapter 1,
197 Budgetary Procedures Act, the Legislature appropriates the following sums of money from the
198 funds or accounts indicated for the use and support of the government of the state of Utah.

199 ITEM 1

200 To Fund and Account Transfers -- General Fund Restricted -- Homeless to
201 Housing Reform Restricted Account

202 From General Fund \$6,600,000

203 Schedule of Programs:

204 General Fund Restricted -- Homeless to Housing Reform
205 Restricted Account \$6,600,000

206 ITEM 2

207 To Department of Workforce Services -- Housing and Community Development
208 From General Fund Restricted -- Homeless to Housing

209 Reform Restricted Account \$6,600,000

210 Schedule of Programs:

211 Homeless to Housing Reform Program \$6,600,000
212 The Legislature intends that:
213 (1) under Section [63J-1-603](#) appropriations provided under this section not lapse at the
214 close of fiscal year 2019; and
215 (2) the appropriation to the Homeless to Housing Reform Restricted Account be used
216 for the purposes described in Subsection [35A-8-604](#)(9).