

**Representative Steve Eliason** proposes the following substitute bill:

**HOMELESS SERVICES FUNDING AMENDMENTS**

2020 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Steve Eliason**

Senate Sponsor: Curtis S. Bramble

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**LONG TITLE**

**General Description:**

This bill modifies provisions related to the Homeless Coordinating Committee and the Homeless to Housing Reform Restricted Account.

**Highlighted Provisions:**

This bill:

- ▶ modifies how the Homeless Coordinating Committee, with the concurrence of the Housing and Community Development Division, may use money from the Homeless to Housing Reform Restricted Account;

- ▶ modifies the funding and authorized uses of the Homeless Reform Restricted Account, including the use of proceeds from the state sale of land at 210 South Rio Grande Street, Salt Lake City, which was the location of a former homeless shelter; and

- ▶ makes technical changes.

**Money Appropriated in this Bill:**

This bill appropriates in fiscal year 2020:

- ▶ to the Department of Workforce Services -- Housing and Community Development, as a one-time appropriation:

- from the Homeless to Housing Reform Restricted Account, \$6,000,000.



26 This bill appropriates in fiscal year 2021:

27 ▶ to the University of Utah -- Education and General, as a one-time appropriation:

28 • from the General Fund, \$75,000.

29 **Other Special Clauses:**

30 None

31 **Utah Code Sections Affected:**

32 AMENDS:

33 **35A-8-604**, as last amended by Laws of Utah 2019, Chapters 53, 94, and 234

34 **35A-8-605**, as last amended by Laws of Utah 2018, Chapter 251



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

37 Section 1. Section **35A-8-604** is amended to read:

38 **35A-8-604. Uses of Homeless to Housing Reform Restricted Account.**

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

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

47 (3) As a condition of receiving money, including any ongoing money, from the  
48 restricted account, an entity awarded a grant or contract under this section shall provide  
49 detailed and accurate reporting on at least an annual basis to the division and the Homeless  
50 Coordinating Committee that describes:

- 51 (a) how money provided from the restricted account has been spent by the entity; and
- 52 (b) the progress towards measurable outcome-based benchmarks agreed to between the  
53 entity and the Homeless Coordinating Committee before the awarding of the grant or contract.

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

- 56 (a) ensure that the services to be provided through the grant or contract will be

- 57 provided in a cost-effective manner;
- 58 (b) consider the advice of committee members designated in Subsection 35A-8-601(3);
- 59 (c) give priority to a project or contract that will include significant additional or
- 60 matching funds from a private organization, nonprofit organization, or local government entity;
- 61 (d) ensure that the project or contract will target the distinct housing needs of one or
- 62 more at-risk or homeless subpopulations, which may include:
- 63 (i) families with children;
- 64 (ii) transitional-aged youth;
- 65 (iii) single men or single women;
- 66 (iv) veterans;
- 67 (v) victims of domestic violence;
- 68 (vi) individuals with behavioral health disorders, including mental health or substance
- 69 use disorders;
- 70 (vii) individuals who are medically frail or terminally ill;
- 71 (viii) individuals exiting prison or jail; or
- 72 (ix) individuals who are homeless without shelter;
- 73 (e) consider whether the project will address one or more of the following goals:
- 74 (i) diverting homeless or imminently homeless individuals and families from
- 75 emergency shelters by providing better housing-based solutions;
- 76 (ii) meeting the basic needs of homeless individuals and families in crisis;
- 77 (iii) providing homeless individuals and families with needed stabilization services;
- 78 (iv) decreasing the state's homeless rate;
- 79 (v) implementing a coordinated entry system with consistent assessment tools to
- 80 provide appropriate and timely access to services for homeless individuals and families;
- 81 (vi) providing access to caseworkers or other individualized support for homeless
- 82 individuals and families;
- 83 (vii) encouraging employment and increased financial stability for individuals and
- 84 families being diverted from or exiting homelessness;
- 85 (viii) creating additional affordable housing for state residents;
- 86 (ix) providing services and support to prevent homelessness among at-risk individuals
- 87 and adults;

88 (x) providing services and support to prevent homelessness among at-risk children,  
89 adolescents, and young adults;

90 (xi) preventing the reoccurrence of homelessness among individuals and families  
91 exiting homelessness; and

92 (xii) providing medical respite care for homeless individuals where the homeless  
93 individuals can access medical care and other supportive services; and

94 (f) address the needs identified in the strategic plan described in Subsection  
95 35A-8-602(1)(a) for inclusion in the annual written report described in Section 35A-1-109.

96 (5) In addition to the other provisions of this section, in determining the awarding of a  
97 grant or contract under this section to design, build, create, or renovate a facility that will  
98 provide shelter or other resources for the homeless, the Homeless Coordinating Committee,  
99 with the concurrence of the division, may consider whether the facility will be:

100 (a) located near mass transit services;

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

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

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

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

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

114 (b) the state;

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

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

119 (7) (a) As used in this Subsection (7) and in Subsection (8), "homeless shelter" means a  
120 facility that:

121 (i) is located within a municipality; and

122 (ii) provides temporary shelter year-round to homeless individuals, including an  
123 emergency shelter or medical respite facility.

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

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

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

130 (8) (a) If a homeless shelter commits to provide matching funds equal to the total grant  
131 awarded under this Subsection (8), the Homeless Coordinating Committee, with the  
132 concurrence of the division, may award a grant for the ongoing operations of the homeless  
133 shelter.

134 (b) In awarding a grant under this Subsection (8), the Homeless Coordinating  
135 Committee, with the concurrence of the division, shall consider the number of beds available at  
136 the homeless shelter and the number and quality of the homeless services provided by the  
137 homeless shelter.

138 (9) The division may expend money from the restricted account to offset actual  
139 division and Homeless Coordinating Committee expenses related to administering this section.

140 (10) In addition to other provisions of this section, the Homeless Coordinating  
141 Committee, with the concurrence of the division, may award one-time money from the state's  
142 sale of the land at 210 South Rio Grande Street, Salt Lake City, which was the location of a  
143 former emergency homeless shelter, to a nonprofit entity that owns three or more homeless  
144 shelters in a county of the first class to assist the entity in paying off a loan taken out by the  
145 entity to build a homeless shelter located in a county of the first class in a location other than  
146 Salt Lake City.

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

148 **35A-8-605. Homeless to Housing Reform Restricted Account.**

149 (1) There is created a restricted account within the General Fund known as the

150 Homeless to Housing Reform Restricted Account.

151 (2) The restricted account shall be administered by the division for the purposes  
152 described in Section 35A-8-604.

153 (3) The state treasurer shall invest the money in the restricted account according to the  
154 procedures and requirements of Title 51, Chapter 7, State Money Management Act, except that  
155 interest and other earnings derived from the restricted account shall be deposited in the  
156 restricted account.

157 (4) The restricted account shall be funded by:

158 (a) appropriations made to the account by the Legislature; and

159 (b) private donations, grants, gifts, bequests, or money made available from any other  
160 source to implement this section and Section 35A-8-604.

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

163 (6) The Homeless Coordinating Committee, in cooperation with the division, shall  
164 submit an annual written report to the department that gives a complete accounting of the use  
165 of money from the restricted account for inclusion in the annual report described in Section  
166 35A-1-109.

167 (7) In addition to the funding sources described in Subsection (4), the restricted  
168 account shall be funded by the one-time deposit of the proceeds of the state's sale of land  
169 located at 210 South Rio Grande Street, Salt Lake City, on or after March 1, 2020, which was  
170 the former location of an emergency homeless shelter.

171 Section 3. **Appropriation.**

172 Subsection 3(a). **Appropriation for fiscal year 2020.**

173 The following sums of money are appropriated for the fiscal year beginning July 1,  
174 2019, and ending June 30, 2020. These are additions to amounts previously appropriated for  
175 fiscal year 2020. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures  
176 Act, the Legislature appropriates the following sums of money from the funds or accounts  
177 indicated for the use and support of the government of the state of Utah.

178 ITEM 1

179 To Department of Workforce Services -- Housing and Community Development

180 From General Fund Restricted -- Homeless to Housing

181 Reform Restricted Account, One-time \$6,000,000

182 Schedule of Programs:

183 Homeless to Housing Reform Program \$6,000,000

184 The Legislature intends that:

185 (1) under Section 63J-1-603, appropriations provided under Subsection 3(a) of this bill  
186 not lapse at the close of fiscal year 2020; and

187 (2) an amount equal to the lesser of the appropriation described in Item 1 or the amount  
188 of the proceeds from the sale of the land located at 210 South Rio Grande Street, Salt Lake  
189 City, be used as follows:

190 (a) 50% shall be used to assist a nonprofit entity that owns three or more homeless  
191 shelters in a county of the first class in paying off a loan taken out by the entity to build a  
192 homeless shelter located in a county of the first class as described in Subsection  
193 35A-8-604(10); and

194 (b) 50% ~~H~~→ ~~[shall]~~ ~~may~~ ←~~H~~ be used to provide funding for the ongoing operations of one  
194a or more

195 homeless services resource centers ~~H~~→ **and for overflow costs** ←~~H~~ .

196 **Subsection (3)(b). Appropriation for fiscal year 2021.**

197 The following sums of money are appropriated for the fiscal year beginning July 1,  
198 2020, and ending June 30, 2021. These are additions to amounts previously appropriated for  
199 fiscal year 2021. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures  
200 Act, the Legislature appropriates the following sums of money from the funds or accounts  
201 indicated for the use and support of the government of the state of Utah.

202 ITEM 1

203 To University of Utah -- Education and General

204 From General Fund, One-time \$75,000

205 Schedule of Programs:

206 ~~H~~→ ~~[Ken]~~ ~~Kem~~ ←~~H~~ C. Gardner Policy Institute \$75,000

207 The Legislature intends that the appropriation under Subsection (3)(b) of this bill be  
208 used by the ~~H~~→ ~~[Ken]~~ ~~Kem~~ ←~~H~~ C. Gardner Policy Institute to study the current decision-making  
208a framework

209 and governance structure for the provision of services to homeless individuals in the state and  
210 to provide a written report by October 1, 2020, to the Executive Appropriations Committee, the  
211 Social Services Interim Committee, and the Homeless Coordinating Committee containing

212 recommendations for improving the provision of services to homeless individuals in the state,  
213 including a potential realignment of the decision-making framework and governance structure  
214 related to the provision of those services.