

**HOMELESS SERVICES FUNDING AMENDMENTS**

2020 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Steve Eliason**

Senate Sponsor: \_\_\_\_\_

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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.

This bill appropriates in fiscal year 2021:

▶ to the General Fund Restricted -- Homeless to Housing Reform Restricted Account,



28 as an ongoing appropriation:

- 29 • from the General Fund, \$1,145,000; and
- 30 ▶ to the Department of Workforce Services -- Housing and Community Development,

31 as an ongoing appropriation:

- 32 • from the General Fund Restricted Account, \$1,145,000.

33 **Other Special Clauses:**

34 None

35 **Utah Code Sections Affected:**

36 AMENDS:

37 **35A-8-604**, as last amended by Laws of Utah 2019, Chapters 53, 94, and 234

38 **35A-8-605**, as last amended by Laws of Utah 2018, Chapter 251



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

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

42 **35A-8-604. Uses of Homeless to Housing Reform Restricted Account.**

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

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

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

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

58 (4) In determining the awarding of a grant or contract under this section, the Homeless

59 Coordinating Committee, with the concurrence of the division, shall:

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

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

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

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

67 (i) families with children;

68 (ii) transitional-aged youth;

69 (iii) single men or single women;

70 (iv) veterans;

71 (v) victims of domestic violence;

72 (vi) individuals with behavioral health disorders, including mental health or substance  
73 use disorders;

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

75 (viii) individuals exiting prison or jail; or

76 (ix) individuals who are homeless without shelter;

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

78 (i) diverting homeless or imminently homeless individuals and families from  
79 emergency shelters by providing better housing-based solutions;

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

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

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

83 (v) implementing a coordinated entry system with consistent assessment tools to  
84 provide appropriate and timely access to services for homeless individuals and families;

85 (vi) providing access to caseworkers or other individualized support for homeless  
86 individuals and families;

87 (vii) encouraging employment and increased financial stability for individuals and  
88 families being diverted from or exiting homelessness;

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

90 (ix) providing services and support to prevent homelessness among at-risk individuals  
91 and adults;

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

94 (xi) preventing the reoccurrence of homelessness among individuals and families  
95 exiting homelessness; and

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

98 (f) address the needs identified in the strategic plan described in Subsection  
99 [35A-8-602\(1\)\(a\)](#) for inclusion in the annual written report described in Section [35A-1-109](#).

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

104 (a) located near mass transit services;

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

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

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

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

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

118 (b) the state;

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

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

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

125 (i) is located within a municipality; and

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

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

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

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

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

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

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

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

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

152 **35A-8-605. Homeless to Housing Reform Restricted Account.**

153 (1) There is created a restricted account within the General Fund known as the  
154 Homeless to Housing Reform Restricted Account.

155 (2) The restricted account shall be administered by the division for the purposes  
156 described in Section [35A-8-604](#).

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

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

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

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

165 (5) Subject to appropriation, the director shall use restricted account money as  
166 described in Section [35A-8-604](#).

167 (6) The Homeless Coordinating Committee, in cooperation with the division, shall  
168 submit an annual written report to the department that gives a complete accounting of the use  
169 of money from the restricted account for inclusion in the annual report described in Section  
170 [35A-1-109](#).

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

175 (b) The restricted account money described in Subsection (7)(a) shall be administered  
176 by the division for the purposes described in Subsection [35A-8-604](#)(10).

177 **Section 3. Appropriation.**178 **Subsection 3(a). Appropriation for fiscal year 2020.**

179 The following sums of money are appropriated for the fiscal year beginning July 1,  
180 2019, and ending June 30, 2020. These are additions to amounts previously appropriated for  
181 fiscal year 2020. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures  
182 Act, the Legislature appropriates the following sums of money from the funds or accounts

183 indicated for the use and support of the government of the state of Utah.

184 ITEM 1

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

186 From General Fund Restricted -- Homeless to Housing

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

188 Schedule of Programs:

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

190 The Legislature intends that:

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

193 (2) an amount equal to the lesser of the appropriation described in Item 1 or the amount  
194 of the proceeds from the sale of the land located at 210 South Rio Grande Street, Salt Lake  
195 City, be used to assist a nonprofit entity that owns three or more homeless shelters in a county  
196 of the first class in paying off a loan taken out by the entity to build a homeless shelter located  
197 in a county of the first class as described in Subsection 35A-8-604(10).

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

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

204 ITEM 1

205 To Fund and Account Transfers -- General Fund Restricted --

206 Homeless to Housing Reform Restricted Account

207 From General Fund \$1,145,000

208 Schedule of Programs:

209 General Fund Restricted -- Homeless to Housing

210 Reform Restricted Account \$1,145,000

211 ITEM 2

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

213 From General Fund Restricted -- Homeless to Housing Reform Restricted

214 Account \$1,145,000

215 Schedule of Programs:

216 Homeless to Housing Reform Program \$1,145,000

217 The Legislature intends that:

218 (1) under Section 63J-1-603, appropriations provided under Subsection 3(b) of this bill  
219 not lapse at the close of fiscal year 2021; and

220 (2) the appropriation of money from the Homeless to Housing Reform Restricted

221 Account in Item 2 be used to provide a grant to one or more homeless shelters:

222 (a) that began operations on or after January 1, 2019; and

223 (b) in accordance with the purposes described in Subsection 35A-8-604(8).