

HB0440S01 compared with HB0440

~~deleted text~~ shows text that was in HB0440 but was deleted in HB0440S01.

inserted text shows text that was not in HB0440 but was inserted into HB0440S01.

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Representative Steve Eliason proposes the following substitute bill:

HOMELESS SERVICES FUNDING AMENDMENTS

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Steve Eliason

Senate Sponsor: _____

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

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- ▶ 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, as an ongoing}~~ University of Utah -- Education and General, as a one-time appropriation:
 - from the General Fund, ~~{ \$1,145 }~~ \$75,000 ~~{, and }~~ .
~~{ → to the Department of Workforce Services -- Housing and Community Development, as an ongoing appropriation:~~
 - ~~from the General Fund Restricted Account, \$1,145,000.~~

~~{~~Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

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

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

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

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

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

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

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

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Appropriations Committee.

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

(a) how money provided from the restricted account has been spent by the entity; and

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

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

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

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

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

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

(i) families with children;

(ii) transitional-aged youth;

(iii) single men or single women;

(iv) veterans;

(v) victims of domestic violence;

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

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

(viii) individuals exiting prison or jail; or

(ix) individuals who are homeless without shelter;

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

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

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

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- (iii) providing homeless individuals and families with needed stabilization services;
 - (iv) decreasing the state's homeless rate;
 - (v) implementing a coordinated entry system with consistent assessment tools to provide appropriate and timely access to services for homeless individuals and families;
 - (vi) providing access to caseworkers or other individualized support for homeless individuals and families;
 - (vii) encouraging employment and increased financial stability for individuals and families being diverted from or exiting homelessness;
 - (viii) creating additional affordable housing for state residents;
 - (ix) providing services and support to prevent homelessness among at-risk individuals and adults;
 - (x) providing services and support to prevent homelessness among at-risk children, adolescents, and young adults;
 - (xi) preventing the reoccurrence of homelessness among individuals and families exiting homelessness; and
 - (xii) providing medical respite care for homeless individuals where the homeless individuals can access medical care and other supportive services; and
- (f) address the needs identified in the strategic plan described in Subsection 35A-8-602(1)(a) for inclusion in the annual written report described in Section 35A-1-109.
- (5) In addition to the other provisions of this section, in determining the awarding of a grant or contract under this section to design, build, create, or renovate a facility that will provide shelter or other resources for the homeless, the Homeless Coordinating Committee, with the concurrence of the division, may consider whether the facility will be:
- (a) located near mass transit services;
 - (b) located in an area that meets or will meet all zoning regulations before a final dispersal of funds;
 - (c) safe and welcoming both for individuals using the facility and for members of the surrounding community; and
 - (d) located in an area with access to employment, job training, and positive activities.
- (6) In accordance with Subsection (5), and subject to the approval of the Homeless Coordinating Committee with the concurrence of the division, the following may recommend a

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site location, acquire a site location, and hold title to real property, buildings, fixtures, and appurtenances of a facility that provides or will provide shelter or other resources for the homeless:

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

(b) the state;

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

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

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

(i) is located within a municipality; and

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

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

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

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

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

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

(9) The division may expend money from the restricted account to offset actual

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division and Homeless Coordinating Committee expenses related to administering this section.

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

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

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

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

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

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

(4) The restricted account shall be funded by:

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

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

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

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

(7) ~~{(a)}~~ In addition to the funding sources described in Subsection (4), the restricted account shall be funded by the one-time deposit of the proceeds of the state's sale of land located at 210 South Rio Grande Street, Salt Lake City, on or after March 1, 2020, which was

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the former location of an emergency homeless shelter.

~~{ (b) The restricted account money described in Subsection (7)(a) shall be administered by the division for the purposes described in Subsection 35A-8-604(10).~~

‡ Section 3. **Appropriation.**

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

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

ITEM 1

To Department of Workforce Services -- Housing and Community Development

From General Fund Restricted -- Homeless to Housing

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

Schedule of Programs:

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

The Legislature intends that:

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

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

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

(b) 50% shall be used to provide funding for the ongoing operations of one or more homeless services resource centers.

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

The following sums of money are appropriated for the fiscal year beginning July 1, 2020, and ending June 30, 2021. These are additions to amounts previously appropriated for

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fiscal year ~~{2020}~~2021. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the Legislature appropriates the following sums of money from the funds or accounts indicated for the use and support of the government of the state of Utah.

ITEM 1

To ~~{Fund and Account Transfers -- General Fund Restricted --~~
~~Homeless to Housing Reform Restricted Account}~~University of Utah -- Education and
General

From General Fund, One-time ~~{~~\$1,145}~~}~~\$75,000

Schedule of Programs:

~~{~~General Fund Restricted -- Homeless to Housing
Reform Restricted Account \$1,145,000

ITEM 2

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

~~From General Fund Restricted -- Homeless to Housing Reform Restricted~~
~~Account~~ \$1,145,000

~~Schedule of Programs:~~

~~Homeless to Housing Reform Program~~ \$1,145} Ken

C. Gardner Policy Institute \$75,000

The Legislature intends that ~~{~~

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

~~(2) } the appropriation {of money from the Homeless to Housing Reform Restricted~~
~~Account in Item 2 be used to provide a grant to one or more homeless shelters:~~

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

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

{under Subsection (3)(b) of this bill be used by the Ken C. Gardner Policy Institute to study the
current decision-making framework and governance structure for the provision of services to
homeless individuals in the state and to provide a written report by October 1, 2020, to the
Executive Appropriations Committee, the Social Services Interim Committee, and the
Homeless Coordinating Committee containing recommendations for improving the provision
of services to homeless individuals in the state, including a potential realignment of the

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decision-making framework and governance structure related to the provision of those services.