

SB0244S01 compared with SB0244

~~{deleted text}~~ shows text that was in SB0244 but was deleted in SB0244S01.

inserted text shows text that was not in SB0244 but was inserted into SB0244S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Senator Jacob L. Anderegg proposes the following substitute bill:

HOMELESS SHELTER AND SERVICES SHARING

AMENDMENTS

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jacob L. Anderegg

House Sponsor: _____

LONG TITLE

General Description:

This bill modifies provisions of Title 35A, Chapter 8, Housing and Community Development Division.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ describes duties of the director of the Housing and Community Development Division, including the oversight of a Homeless Management Information System;~~†~~
- ~~describes the duties of an employee of a homeless shelter to report criminal behavior in a homeless shelter;~~

SB0244S01 compared with SB0244

- describes the criminal liability for the failure of an employee of a homeless shelter to report certain criminal behavior in a homeless shelter;
- describes the strict criminal liability of a director and the board of directors of a homeless shelter if an employee of the homeless shelter fails to report certain criminal behavior; } and
 - ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

35A-8-101, as renumbered and amended by Laws of Utah 2012, Chapter 212

ENACTS:

35A-8-203, Utah Code Annotated 1953

~~{ **35A-8-610**, Utah Code Annotated 1953~~

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

Section 1. Section **35A-8-101** is amended to read:

35A-8-101. Definitions.

As used in this chapter:

(1) "Accessible housing" means housing which has been constructed or modified to be accessible, as described in the State Construction Code or an approved code under Title 15A, State Construction and Fire Codes Act.

(2) "Director" means the director of the division.

(3) "Division" means the Housing and Community Development Division.

(4) "Homeless Management Information System" or "HMIS" means an information technology system that:

(a) is used to collect client-level data and data on the provision of housing and services to homeless individuals and families and individuals at risk of homelessness in the state; and

(b) meets the requirements of the United States Department of Housing and Urban

SB0244S01 compared with SB0244

Development.

Section 2. Section **35A-8-203** is enacted to read:

35A-8-203. Duties of director.

(1) The director shall:

(a) coordinate, ~~with the concurrence of the Homeless Coordinating Committee,~~ the provision of homeless services in the state; and

(b) oversee a Homeless Management Information System for the state that:

(i) shares client-level data between state agencies, local governments, and private organizations that provide services to homeless individuals and families and individuals at risk of homelessness in the state;

(ii) is effective as a case management system;

(iii) ~~except for individuals receiving services who are victims of domestic violence,~~ includes an effective authorization protocol for encouraging individuals who are provided with any homeless services in the state to provide accurate information to providers for inclusion in the HMIS as a condition of receiving homeless services; and

(iv) meets the requirements of the United States Department of Housing and Urban Development and other federal requirements.

(2) In overseeing the provision of homeless services in the state, the director:

(a) shall encourage the coordination of the provision of services to homeless individuals among state agencies, local governments, and private organizations;

(b) ~~except for a program or provider providing services to victims of domestic violence,~~ may not approve funding to a program or provider that does not enter into a written agreement with the division to collect and share HMIS data regarding the provision of services to homeless individuals; and

(c) may deny funding to a program or provider that fails to demonstrate the effective collection and sharing of HMIS data regarding the provision of services to homeless individuals.

~~{ Section 3. Section **35A-8-610** is enacted to read:~~

~~Section **35A-8-610. Duty of an employee of a homeless shelter to report criminal behavior.**~~

~~(1) As used in this section, "homeless shelter" means a facility that provides temporary shelter to homeless individuals and has the capacity to provide temporary shelter to at least 50~~

SB0244S01 compared with SB0244

individuals per night:

~~—— (2) When an employee of a homeless shelter witnesses behavior by an individual in a homeless shelter that the employee reasonably believes is criminal behavior, the employee shall immediately report the criminal behavior to the nearest peace officer or law enforcement agency:~~

~~—— (3) An employee of a homeless shelter who fails to immediately report suspected criminal behavior related to the following is guilty of a class C misdemeanor:~~

~~—— (a) assault as described in Section 76-5-102;~~

~~—— (b) a sexual offense as described in Title 76, Chapter 5, Part 4, Sexual Offenses;~~

~~—— (c) robbery as described in Title 76, Chapter 6, Part 3, Robbery; or~~

~~—— (d) the suspected abuse or neglect of a child;~~

~~—— (4) If an employee of a homeless shelter fails to immediately report suspected criminal behavior as described in Subsection (3), the director or chief executive officer of the homeless shelter and each member of the board of directors of the homeless shelter are strictly liable and vicariously liable for the failure of the employee to immediately report the suspected criminal behavior as described in Subsection (3), and each are guilty of a class C misdemeanor.~~

‡