

Representative Steve Eliason proposes the following substitute bill:

HOMELESS SERVICES AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Steve Eliason

Senate Sponsor: Jacob L. Anderegg

LONG TITLE

General Description:

This bill modifies provisions related to the oversight and provision of services for individuals experiencing homelessness.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ modifies the membership of the Utah Homelessness Council (council) within the Office of Homeless Services (office);
- ▶ establishes the Utah Homeless Network Steering Committee within the office and describes the membership and duties of the steering committee;
- ▶ allows certain municipalities and public safety agencies to receive funds from the Homeless Shelter Cities Mitigation Restricted Account (account) to mitigate the impacts of homeless shelters;
- ▶ establishes a formula for the office's disbursement of funds to entities that have been approved by the council to receive account funds;
- ▶ removes provisions allowing the office to provide grants from the account;
- ▶ modifies provisions related to the process for entities to request account funds;
- ▶ requires the council to consider certain factors in determining whether to approve or



- 26 deny an entity's request for account funds;
- 27 ▶ removes provisions requiring the office to make recommendations to the Legislature
- 28 regarding requests for account funds;
- 29 ▶ requires certain councils of governments to annually prepare and submit to the
- 30 office an overflow plan that establishes plans for temporary overflow shelters within
- 31 the county during a specified period of time;
- 32 ▶ requires the office to review the overflow plan to determine whether the plan is
- 33 sufficient for the provision of services for individuals experiencing homelessness
- 34 during a specified period of time;
- 35 ▶ allows certain homeless shelters to expand capacity during a specified period of
- 36 time if the office does not receive a sufficient overflow plan for the county;
- 37 ▶ prohibits municipalities from imposing certain capacity limits on homeless shelters
- 38 during a specified period of time if the office does not receive a sufficient overflow
- 39 plan for the county;
- 40 ▶ prohibits municipalities from restricting an entity from operating a temporary
- 41 overflow shelter from a facility owned or operated by the entity during a specified
- 42 period of time if the office does not receive a sufficient overflow plan for the
- 43 county;
- 44 ▶ allows the office to contract with an entity to operate a temporary overflow shelter
- 45 from a state facility during a specified period of time if the office does not receive a
- 46 sufficient overflow plan for the county;
- 47 ▶ requires the office to make rules governing overflow plans and temporary overflow
- 48 shelters established when the office does not receive a sufficient overflow plan for
- 49 the county; and
- 50 ▶ makes technical and conforming changes.

51 **Money Appropriated in this Bill:**

- 52 This bill appropriates in fiscal year 2023:
- 53 ▶ to Department of Workforce Services - Office of Homeless Services, as a one-time
- 54 appropriation:
- 55 • from General Fund, \$5,800,000;
- 56 ▶ to General Fund Restricted - Homeless Shelter Cities Mitigation Restricted

57 Account, as an ongoing appropriation:

58 • from General Fund, \$5,000,000; and
59 ▶ to Department of Workforce Services - Office of Homeless Services, as an ongoing
60 appropriation:

61 • from General Fund Restricted - Homeless Shelter Cities Mitigation Restricted
62 Account, \$5,000,000.

63 **Other Special Clauses:**

64 This bill provides a special effective date.

65 **Utah Code Sections Affected:**

66 AMENDS:

67 **35A-16-102**, as enacted by Laws of Utah 2021, Chapter 281

68 **35A-16-203**, as enacted by Laws of Utah 2021, Chapter 281

69 **35A-16-204**, as enacted by Laws of Utah 2021, Chapter 281

70 **35A-16-205**, as enacted by Laws of Utah 2021, Chapter 281

71 **59-12-205**, as last amended by Laws of Utah 2021, Chapter 281

72 ENACTS:

73 **35A-16-206**, Utah Code Annotated 1953

74 **35A-16-207**, Utah Code Annotated 1953

75 **35A-16-401**, Utah Code Annotated 1953

76 **35A-16-501**, Utah Code Annotated 1953

77 **35A-16-502**, Utah Code Annotated 1953

78 **35A-16-503**, Utah Code Annotated 1953

79 RENUMBERS AND AMENDS:

80 **35A-16-402**, (Renumbered from 35A-16-304, as renumbered and amended by Laws of
81 Utah 2021, Chapter 281)

82 **35A-16-403**, (Renumbered from 35A-16-305, as renumbered and amended by Laws of
83 Utah 2021, Chapter 281)

84 **35A-16-404**, (Renumbered from 35A-16-307, as renumbered and amended by Laws of
85 Utah 2021, Chapter 281)

86 REPEALS:

87 **35A-16-306**, as renumbered and amended by Laws of Utah 2021, Chapter 281

88 **63J-1-801**, as last amended by Laws of Utah 2021, Chapter 281

89 **63J-1-802**, as last amended by Laws of Utah 2021, Chapter 281



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

92 Section 1. Section **35A-16-102** is amended to read:

93 **35A-16-102. Definitions.**

94 As used in this chapter:

95 (1) "Collaborative applicant" means the entity designated by a continuum of care to
96 collect and submit data and apply for funds on behalf of the continuum of care, as required by
97 the United States Department of Housing and Urban Development.

98 (2) "Continuum of care" means a regional or local planning body designated by the
99 United States Department of Housing and Urban Development to coordinate services for
100 individuals experiencing homelessness within an area of the state.

101 [~~1~~] (3) "Coordinator" means the state homelessness coordinator appointed under
102 Section **63J-4-202**.

103 [~~2~~] (4) "Executive committee" means the executive committee of the homelessness
104 council described in Section **35A-16-204**.

105 [~~3~~] (5) "Homeless Management Information System" or "HMIS" means an
106 information technology system that:

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

109 (b) meets the requirements of the United States Department of Housing and Urban
110 Development.

111 [~~4~~] (6) "Homeless services budget" means the comprehensive annual budget and
112 overview of all homeless services available in the state described in Subsection
113 **35A-16-203(1)(b)**.

114 [~~5~~] (7) "Homelessness council" means the Utah Homelessness Council created in
115 Section **35A-16-204**.

116 (8) "Local homeless council" means a local planning body designated by the steering
117 committee to coordinate services for individuals experiencing homelessness within an area of
118 the state.

119 [(6)] (9) "Office" means the Office of Homeless Services.

120 (10) "Steering committee" means the Utah Homeless Network Steering Committee
121 created in Section 35A-16-206.

122 [(7)] (11) "Strategic plan" means the statewide strategic plan to minimize homelessness
123 in the state described in Subsection 35A-16-203(1)(c).

124 Section 2. Section 35A-16-203 is amended to read:

125 **35A-16-203. Powers and duties of the coordinator.**

126 (1) The coordinator shall:

127 (a) coordinate the provision of homeless services in the state;

128 (b) in cooperation with the homelessness council, develop and maintain a
129 comprehensive annual budget and overview of all homeless services available in the state,
130 which homeless services budget shall receive final approval by the homelessness council;

131 (c) in cooperation with the homelessness council, create a statewide strategic plan to
132 minimize homelessness in the state, which strategic plan shall receive final approval by the
133 homelessness council;

134 (d) in cooperation with the homelessness council, oversee funding provided for the
135 provision of homeless services, which funding shall receive final approval by the homelessness
136 council, including funding from the:

137 (i) Pamela Atkinson Homeless Account created in Section 35A-16-301;

138 (ii) Homeless to Housing Reform Restricted Account created in Section 35A-16-303;

139 and

140 (iii) Homeless Shelter Cities Mitigation Restricted Account created in Section
141 [~~35A-16-304~~] 35A-16-402;

142 (e) provide administrative support to and serve as a member of the homelessness
143 council;

144 (f) at the governor's request, report directly to the governor on issues regarding
145 homelessness in the state and the provision of homeless services in the state; and

146 (g) report directly to the president of the Senate and the speaker of the House of
147 Representatives at least twice each year on issues regarding homelessness in the state and the
148 provision of homeless services in the state.

149 (2) The coordinator, in cooperation with the homelessness council, shall ensure that the

150 homeless services budget described in Subsection (1)(b) includes an overview and coordination
151 plan for all funding sources for homeless services in the state, including from state agencies,
152 Continuum of Care organizations, housing authorities, local governments, federal sources, and
153 private organizations.

154 (3) The coordinator, in cooperation with the homelessness council, shall ensure that the
155 strategic plan described in Subsection (1)(c):

156 (a) outlines specific goals and measurable benchmarks for minimizing homelessness in
157 the state and for coordinating services for individuals experiencing homelessness among all
158 service providers in the state;

159 (b) identifies best practices and recommends improvements to the provision of services
160 to individuals experiencing homelessness in the state to ensure the services are provided in a
161 safe, cost-effective, and efficient manner;

162 (c) identifies best practices and recommends improvements in coordinating the
163 delivery of services to the variety of populations experiencing homelessness in the state,
164 including through the use of electronic databases and improved data sharing among all service
165 providers in the state; and

166 (d) identifies gaps and recommends solutions in the delivery of services to the variety
167 of populations experiencing homelessness in the state.

168 (4) In overseeing funding for the provision of homeless services as described in
169 Subsection (1)(d), the coordinator:

170 (a) shall prioritize the funding of programs and providers that have a documented
171 history of successfully reducing the number of individuals experiencing homelessness,
172 reducing the time individuals spend experiencing homelessness, moving individuals
173 experiencing homelessness to permanent housing, or reducing the number of individuals who
174 return to experiencing homelessness; and

175 (b) except for a program or provider providing services to victims of domestic
176 violence, may not approve funding to a program or provider that does not enter into a written
177 agreement with the office to collect and share HMIS data regarding the provision of services to
178 individuals experiencing homelessness so that the provision of services can be coordinated
179 among state agencies, local governments, and private organizations.

180 (5) In cooperation with the homelessness council, the coordinator shall update the

181 annual statewide budget and the strategic plan described in this section on an annual basis.

182 (6) (a) On or before October 1, the coordinator shall provide a written report to the
183 department for inclusion in the department's annual written report described in Section
184 35A-1-109.

185 (b) The written report shall include:

186 (i) the homeless services budget;

187 (ii) the strategic plan; and

188 (iii) recommendations regarding improvements to coordinating and providing services
189 to individuals experiencing homelessness in the state.

190 Section 3. Section 35A-16-204 is amended to read:

191 **35A-16-204. Utah Homelessness Council.**

192 (1) There is created within the office the Utah Homelessness Council.

193 (2) The homelessness council shall consist of the following members:

194 (a) a representative of the public sector with expertise in homelessness issues,
195 appointed by the Legislature;

196 (b) a representative of the private sector, appointed by the Utah Impact Partnership or
197 the partnership's successor organization;

198 (c) a representative of the private sector with expertise in homelessness issues,
199 appointed by the governor;

200 (d) a statewide philanthropic leader, appointed by the governor;

201 (e) a statewide philanthropic leader, appointed by the Utah Impact Partnership or the
202 partnership's successor organization;

203 (f) the mayor of Salt Lake County;

204 (g) the mayor of Salt Lake City;

205 (h) the mayor of Midvale;

206 (i) the mayor of South Salt Lake;

207 (j) the mayor of Ogden;

208 (k) the mayor of St. George;

209 (l) the executive director of the Department of Health and Human Services, or the
210 executive director's designee;

211 (m) the [~~executive director of the Department of Health, or the executive director's]~~

212 commissioner of public safety, or the commissioner's designee;

213 (n) the executive director of the Department of Corrections, or the executive director's
214 designee;

215 (o) the executive director of the Department of Workforce Services, or the executive
216 director's designee;

217 (p) the executive director of the Governor's Office of Planning and Budget, or the
218 executive director's designee;

219 (q) a member of the Senate, appointed by the president of the Senate;

220 (r) a member of the House of Representatives, appointed by the speaker of the House
221 of Representatives;

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

223 (t) a faith-based leader in the state, appointed by the governor;

224 (u) five local representatives~~[, including at least two private providers of services for~~
225 ~~people experiencing homelessness;]~~ appointed by the ~~[Utah Homeless Network]~~ steering
226 committee, of which at least two are private providers of services for people experiencing
227 homelessness;

228 (v) one individual who has experienced homelessness, appointed by the governor; and

229 (w) the coordinator.

230 (3) The member appointed under Subsection (2)(a) and the member appointed under
231 Subsection (2)(b) shall serve as the cochair of the homelessness council.

232 (4) The following ~~[eight]~~ nine members of the homelessness council shall serve as the
233 executive committee of the homelessness council:

234 (a) the cochair of the homelessness council as described in Subsection (3);

235 (b) the private sector representative appointed under Subsection (2)(c);

236 (c) the statewide philanthropic leader appointed under Subsection (2)(d);

237 (d) the statewide philanthropic leader appointed under Subsection (2)(e);

238 (e) the mayor of Salt Lake County;

239 (f) a mayor chosen among the member mayors described in Subsections (2)(g) through
240 (2)(k), appointed by the member mayors; ~~[and]~~

241 (g) a local representative chosen among the local representatives described in
242 Subsection (2)(u), appointed by the cochair of the homelessness council; and

243 [~~g~~] (h) the coordinator.

244 (5) The cochairs and the executive committee may call homelessness council meetings
245 and set agendas for [~~committee~~] meetings.

246 (6) The homelessness council shall meet at least four times per year.

247 (7) A majority of members of the homelessness council constitutes a quorum of the
248 homelessness council at any meeting, and the action of the majority of members present
249 constitutes the action of the homelessness council.

250 (8) A majority of members of the executive committee constitutes a quorum of the
251 executive committee at any meeting, and the action of the majority of members present
252 constitutes the action of the executive committee.

253 (9) (a) Except as required by Subsection (9)(b), appointed members of the
254 homelessness council shall serve a term of four years.

255 (b) Notwithstanding the requirements of Subsection (9)(a), the appointing authority, at
256 the time of appointment or reappointment, may adjust the length of terms to ensure that the
257 terms of homelessness council members are staggered so that approximately half of appointed
258 homelessness council members are appointed every two years.

259 (10) When a vacancy occurs in the appointed membership for any reason, the
260 replacement is appointed for the unexpired term.

261 (11) (a) Except as described in Subsection (11)(b), a member may not receive
262 compensation or benefits for the member's service, but may receive per diem and travel
263 expenses in accordance with:

264 (i) Section [63A-3-106](#);

265 (ii) Section [63A-3-107](#); and

266 (iii) rules made by the Division of Finance pursuant to Sections [63A-3-106](#) and
267 [63A-3-107](#).

268 (b) Compensation and expenses of a commission member who is a legislator are
269 governed by Section [36-2-2](#) and Legislative Joint Rules, Title 5, Legislative Compensation and
270 Expenses.

271 (12) The office and the department shall provide administrative support to the
272 homelessness council.

273 Section 4. Section **35A-16-205** is amended to read:

274 **35A-16-205. Duties of the homelessness council.**
275 The homelessness council:
276 (1) shall provide final approval for:
277 (a) the homeless services budget;
278 (b) the strategic plan; and
279 (c) the awarding of funding for the provision of homeless services as described in
280 Subsection [35A-16-203\(1\)\(d\)](#);
281 (2) in cooperation with the coordinator, shall:
282 (a) develop and maintain the homeless services budget;
283 (b) develop and maintain the strategic plan; and
284 (c) review applications and approve funding for the provision of homeless services in
285 the state as described in Subsection [35A-16-203\(1\)\(d\)](#);
286 (3) shall review local and regional plans for providing services to individuals
287 experiencing homelessness;
288 (4) shall cooperate with local homeless councils [~~as designated by the Utah Homeless~~
289 ~~Network~~] to:
290 (a) develop a common agenda and vision for reducing homelessness in each local
291 oversight body's respective region;
292 (b) as part of the homeless services budget, develop a spending plan that coordinates
293 the funding supplied to local stakeholders; and
294 (c) align local funding to projects that improve outcomes and target specific needs in
295 each community;
296 (5) shall coordinate gap funding with private entities for providing services to
297 individuals experiencing homelessness;
298 (6) shall recommend performance and accountability measures for service providers,
299 including the support of collecting consistent and transparent data; and
300 (7) when reviewing and giving final approval for requests as described in Subsection
301 [35A-16-203\(1\)\(d\)](#):
302 (a) may only recommend funding if the proposed recipient has a policy to share
303 client-level service information with other entities in accordance with state and federal law to
304 enhance the coordination of services for individuals who are experiencing homelessness; and

305 (b) shall identify specific targets and benchmarks that align with the strategic plan for
306 each recommended award.

307 Section 5. Section **35A-16-206** is enacted to read:

308 **35A-16-206. Utah Homeless Network Steering Committee.**

309 (1) There is created within the office the Utah Homeless Network Steering Committee.

310 (2) The steering committee shall consist of the following members:

311 (a) the chair of each local homeless council or the chair's designee;

312 (b) one individual who has experienced homelessness, appointed by the cochair of the
313 steering committee;

314 (c) one representative of the collaborative applicant for the Balance of State continuum
315 of care, appointed by the collaborative applicant;

316 (d) one representative of the collaborative applicant for the Mountainland continuum of
317 care, appointed by the collaborative applicant;

318 (e) one representative of the collaborative applicant for the Salt Lake County
319 continuum of care, appointed by the collaborative applicant;

320 (f) one representative of the office's program staff, appointed by the coordinator; and

321 (g) one representative of the office's data staff, appointed by the coordinator.

322 (3) The steering committee shall select two members from among the members
323 described in Subsection (2)(a) to serve as cochairs, of which:

324 (a) one cochair shall be chosen among the members representing:

325 (i) the Mountainland local homeless council;

326 (ii) the Salt Lake County local homeless council;

327 (iii) the Davis local homeless council; and

328 (iv) the Weber-Morgan local homeless council; and

329 (b) one cochair shall be chosen among the members representing all other local
330 homeless councils that are not listed in Subsection (3)(a).

331 (4) The cochairs are responsible for the call and conduct of meetings.

332 (5) (a) A majority of the members of the steering committee constitutes a quorum.

333 (b) The action of a majority of a quorum constitutes the action of the steering
334 committee.

335 (6) A member may not receive compensation or benefits for the member's service, but

336 may receive per diem and travel expenses in accordance with:

337 (a) Section [63A-3-106](#);

338 (b) Section [63A-3-107](#); and

339 (c) rules made by the Division of Finance pursuant to Sections [63A-3-106](#) and

340 [63A-3-107](#).

341 (7) The office and the department shall provide administrative support to the steering
342 committee.

343 Section 6. Section **35A-16-207** is enacted to read:

344 **35A-16-207. Duties of the steering committee.**

345 The steering committee shall:

346 (1) support connections across continuums of care, local homeless councils, and state
347 and local governments;

348 (2) coordinate statewide emergency and crisis response in relation to services for
349 individuals experiencing homelessness;

350 (3) provide training to providers of services for individuals experiencing homelessness,
351 stakeholders, and policymakers;

352 (4) educate the general public and other interested persons regarding the needs,
353 challenges, and opportunities for individuals experiencing homelessness; and

354 (5) make recommendations to the homelessness council regarding the awarding of
355 funding for the provision of homeless services as described in Subsection [35A-16-203\(1\)\(d\)](#).

356 Section 7. Section **35A-16-401** is enacted to read:

357 **Part 4. Homeless Shelter Cities Mitigation Restricted Account**

358 **35A-16-401. Definitions.**

359 As used in this part:

360 (1) "Account" means the Homeless Shelter Cities Mitigation Restricted Account
361 created in Section [35A-16-402](#).

362 (2) "Eligible entity" means an eligible municipality or a public safety agency.

363 (3) "Eligible municipality" means:

364 (a) a first-tier eligible municipality;

365 (b) a second-tier eligible municipality; or

366 (c) a third-tier eligible municipality.

367 (4) "Eligible services" means public safety services or any other services that mitigate
368 the impacts of the location of an eligible shelter, as further defined by rule made by the office
369 in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

370 (5) "Eligible shelter" means:

371 (a) for a first-tier eligible municipality, a homeless shelter that:

372 (i) has the capacity to provide temporary shelter to at least 80 individuals per night, as
373 verified by the office;

374 (ii) operates year-round; and

375 (iii) is not subject to restrictions that limit the hours, days, weeks, or months of
376 operation;

377 (b) for a second-tier municipality, a homeless shelter that:

378 (i) has the capacity to provide temporary shelter to at least 25 individuals per night, as
379 verified by the office;

380 (ii) operates year-round; and

381 (iii) is not subject to restrictions that limit the hours, days, weeks, or months of
382 operation; and

383 (c) for a third-tier eligible municipality, a homeless shelter that:

384 (i) has the capacity to provide temporary shelter to at least 50 individuals per night, as
385 verified by the office; and

386 (ii) operates for no less than three months during the period beginning October 1 and
387 ending April 30 of the following year.

388 (6) "First-tier eligible municipality" means a municipality that:

389 (a) is located within a county of the first or second class;

390 (b) has or is proposed to have an eligible shelter within the municipality's geographic
391 boundaries;

392 (c) due to the location of an eligible shelter within the municipality's geographic
393 boundaries, requires eligible services; and

394 (d) is certified as a first-tier eligible municipality in accordance with Section
395 [35A-16-404](#).

396 (7) "Homeless shelter" means a facility that provides or is proposed to provide
397 temporary shelter to individuals experiencing homelessness.

398 (8) "Municipality" means a city, town, or metro township.

399 (9) "Public safety agency" means a governmental entity that provides fire protection,
400 law enforcement, ambulance, medical, or similar service.

401 (10) "Public safety services" means law enforcement, emergency medical services, or
402 fire protection.

403 (11) "Second-tier eligible municipality" means a municipality that:

404 (a) is located within a county of the third, fourth, fifth, or sixth class;

405 (b) has or is proposed to have an eligible shelter within the municipality's geographic
406 boundaries;

407 (c) due to the location of an eligible shelter within the municipality's geographic
408 boundaries, requires eligible services; and

409 (d) is certified as a second-tier eligible municipality in accordance with Section
410 35A-16-404.

411 (12) "Third-tier eligible municipality" means a municipality that:

412 (a) is located within any county;

413 (b) has or is proposed to have an eligible shelter within the municipality's geographic
414 boundaries; and

415 (c) due to the location of an eligible shelter within the municipality's geographic
416 boundaries, requires eligible services.

417 Section 8. Section **35A-16-402**, which is renumbered from Section 35A-16-304 is
418 renumbered and amended to read:

419 ~~**[35A-16-304].**~~ **35A-16-402. Homeless Shelter Cities Mitigation Restricted**
420 **Account -- Formula for disbursing account funds to eligible entities.**

421 ~~[(1) As used in this section:]~~

422 ~~[(a) "Annual local contribution" means:]~~

423 ~~[(i) for a participating local government, the lesser of \$200,000 or an amount equal to~~
424 ~~1.8% of the participating local government's tax revenue distribution amount under Subsection~~
425 ~~59-12-205(2)(a) for the previous fiscal year; or]~~

426 ~~[(ii) for an eligible municipality or a grant eligible entity that is certified in accordance~~
427 ~~with Section 35A-8-609, \$0.]~~

428 ~~[(b) "Eligible municipality" means the same as that term is defined in Section~~

429 ~~35A-16-305.;~~

430 ~~[(c) "Grant eligible entity" means the same as that term is defined in Section~~

431 ~~35A-16-306.;~~

432 ~~[(d) "Participating local government" means a county or municipality, as defined in~~
433 ~~Section 10-1-104, that is not an eligible municipality or grant eligible entity as certified by the~~
434 ~~department in accordance with Section 35A-16-307.]~~

435 ~~[(2)]~~ (1) There is created a restricted account within the General Fund known as the
436 Homeless Shelter Cities Mitigation Restricted Account.

437 ~~[(3)]~~ (2) The account shall be funded by:

438 (a) local sales and use tax revenue deposited into the account in accordance with
439 Section 59-12-205; ~~[and]~~

440 (b) interest earned on the account~~[-]; and~~

441 (c) appropriations made to the account by the Legislature.

442 ~~[(4)(a)]~~ (3) The office shall administer the account.

443 ~~[(b) Subject to appropriation, the office shall disburse funds from the account to:]~~

444 ~~[(i) eligible municipalities in accordance with Sections 35A-16-305 and 63J-1-802;~~

445 ~~and]~~

446 ~~[(ii) grant eligible entities in accordance with Sections 35A-16-306 and 63J-1-802.]~~

447 (4) (a) Subject to appropriations, the office shall annually disburse funds from the
448 account as follows:

449 (i) 92.5% shall be disbursed to first-tier eligible municipalities that have been approved
450 to receive account funds under Section 35A-16-403, of which:

451 (A) 70% of the amount described in Subsection (4)(a)(i) shall be disbursed
452 proportionately among applicants based on the total number of individuals experiencing
453 homelessness who are served by eligible shelters within each municipality, as determined by
454 the office;

455 (B) 20% of the amount described in Subsection (4)(a)(i) shall be disbursed
456 proportionately among applicants based on the total number of individuals experiencing
457 homelessness who are served by eligible shelters within each municipality as compared to the
458 total population of the municipality, as determined by the office; and

459 (C) 10% of the amount described in Subsection (4)(a)(i) shall be disbursed

460 proportionately among applicants based on the total capacity of all eligible shelters within each
461 municipality, as determined by the office;

462 (ii) 2.5% shall be disbursed to second-tier eligible municipalities that have been
463 approved to receive account funds under Section 35A-16-403, of which:

464 (A) 70% of the amount described in Subsection (4)(a)(ii) shall be disbursed
465 proportionately among applicants based on the total number of individuals experiencing
466 homelessness who are served by eligible shelters within each municipality, as determined by
467 the office;

468 (B) 20% of the amount described in Subsection (4)(a)(ii) shall be disbursed
469 proportionately among applicants based on the total number of individuals experiencing
470 homelessness who are served by eligible shelters within each municipality as compared to the
471 total population of the municipality, as determined by the office; and

472 (C) 10% of the amount described in Subsection (4)(a)(ii) shall be disbursed
473 proportionately among applicants based on the total capacity of all eligible shelters within each
474 municipality, as determined by the office; and

475 (iii) 5% shall be disbursed to third-tier eligible municipalities and public safety
476 agencies that have been approved to receive account funds under Section 35A-16-403, in
477 accordance with a formula established by the office and approved by the homelessness council.

478 (b) In disbursing funds to first-tier municipalities under Subsection (4)(a)(i), the
479 maximum amount of funds that the office may disburse each year to a single first-tier
480 municipality may not exceed the greater of:

481 (i) \$2,750,000; or

482 (ii) 25% of the total amount of funds disbursed under Subsection (4)(a)(i).

483 (c) In disbursing funds to second-tier municipalities under Subsection (4)(a)(ii), the
484 maximum amount of funds that the office may disburse each year to a single second-tier
485 municipality may not exceed 50% of the total amount of funds disbursed under Subsection
486 (4)(a)(ii).

487 (d) The office may disburse funds to a third-tier municipality under Subsection
488 (4)(a)(iii) regardless of whether the municipality receives funds under Subsection (4)(a)(i) as a
489 first-tier municipality or funds under Subsection (4)(a)(ii) as a second-tier municipality.

490 Section 9. Section 35A-16-403, which is renumbered from Section 35A-16-305 is

491 renumbered and amended to read:

492 ~~[35A-16-305].~~ 35A-16-403. **Eligible entity application process for Homeless**
493 **Shelter Cities Mitigation Restricted Account funds.**

494 ~~[(1) As used in this section:]~~

495 ~~[(a) "Account" means the restricted account created in Section 35A-16-304.]~~

496 ~~[(b) "Eligible municipality" means a city of the third, fourth, or fifth class, a town, or a~~
497 ~~metro township that:]~~

498 ~~[(i) has, or is proposed to have, a homeless shelter within the city's, town's, or metro~~
499 ~~township's geographic boundaries;]~~

500 ~~[(ii) due to the location of a homeless shelter within the city's, town's, or metro~~
501 ~~township's geographic boundaries, needs more public safety services than the city, town, or~~
502 ~~metro township needed before the location of the homeless shelter within the city's, town's, or~~
503 ~~metro township's geographic boundaries; and]~~

504 ~~[(iii) is certified as an eligible municipality in accordance with Section 35A-16-307.]~~

505 ~~[(c) "Homeless shelter" means a facility that:]~~

506 ~~[(i) provides or is proposed to provide temporary shelter to homeless individuals;]~~

507 ~~[(ii) has or is proposed to have the capacity to provide temporary shelter to at least 200~~
508 ~~individuals per night; and]~~

509 ~~[(iii) operates year-round and is not subject to restrictions that limit the hours, days,~~
510 ~~weeks, or months of operation.]~~

511 ~~[(d) "Public safety services" means law enforcement, emergency medical services, and~~
512 ~~fire protection.]~~

513 ~~[(2) (a) An eligible municipality may request account funds to employ and equip~~
514 ~~additional personnel to provide public safety services in and around a homeless shelter within~~
515 ~~the eligible municipality's geographic boundaries.]~~

516 ~~[(b) (i) An eligible municipality that builds or has proposed to build a homeless shelter~~
517 ~~on or after July 1, 2018, shall be eligible to receive at least 40% of the account funds, if the~~
518 ~~eligible municipality meets the requirements of this section.]~~

519 ~~[(ii) An eligible municipality that built a homeless shelter on or before June 30, 2018,~~
520 ~~shall be eligible to receive at least 20% of the account funds, if the eligible municipality meets~~
521 ~~the requirements of this section.]~~

522 (1) An eligible entity may apply for account funds to mitigate the impacts of the
523 location of an eligible shelter through the provision of eligible services within the eligible
524 entity's boundaries or jurisdiction.

525 ~~[(3)]~~ (2) (a) This Subsection ~~[(3)]~~ (2) applies to a fiscal year beginning on or after July
526 1, ~~[2019]~~ 2022.

527 (b) (i) The homelessness council shall set aside time on the agenda of a homelessness
528 council meeting that occurs on or after July 1 and on or before November 30 to allow an
529 eligible ~~[municipality]~~ entity to present a request for account funds for the next fiscal year.

530 (ii) An eligible ~~[municipality]~~ entity may present a request for account funds by:

531 (A) sending an electronic copy of the request to the homelessness council before the
532 meeting; and

533 (B) appearing at the meeting to present the request.

534 (c) The request described in Subsection ~~[(3)(b)]~~ (2)(b)(ii) shall contain:

535 ~~[(i) data relating to the eligible municipality's public safety services for the last fiscal~~
536 ~~year before a homeless shelter was located or proposed to be located within the eligible~~
537 ~~municipality's boundaries, including:]~~

538 ~~[(A) crime statistics; and]~~

539 ~~[(B) calls for public safety services;]~~

540 ~~[(ii) data showing the eligible municipality's need for public safety services in the next~~
541 ~~fiscal year;]~~

542 ~~[(iii) a summary of the eligible municipality's proposed use of account funds; and]~~

543 ~~[(iv) a copy of the eligible municipality's budget, which includes a request in a specific~~
544 ~~amount for additional personnel to provide public safety services;]~~

545 (i) a proposal outlining the need for eligible services, including a description of each
546 eligible service for which the eligible entity requests account funds;

547 (ii) a description of the eligible entity's proposed use of account funds;

548 (iii) a description of the outcomes that the funding would be used to achieve, including
549 indicators that would be used to measure progress toward the specified outcomes; and

550 (iv) the amount of account funds requested.

551 (d) (i) On or before November 30, an eligible ~~[municipality]~~ entity that received
552 account funds during the previous fiscal year shall file electronically with the homelessness

553 council a report that includes:

554 (A) a summary of the amount of account funds that the eligible [municipality] entity
555 expended and the eligible [municipality's] entity's specific use of those funds;

556 (B) an evaluation of the eligible [municipality's] entity's effectiveness in using the
557 account funds to address the eligible [municipality's public safety] entity's needs due to the
558 location of an eligible shelter; [and]

559 (C) an evaluation of the eligible entity's progress regarding the outcomes and indicators
560 described in Subsection (2)(c)(iii); and

561 [~~(D)~~] (D) any proposals for improving the eligible [municipality's] entity's effectiveness
562 in using account funds that the eligible [municipality] entity may receive in future fiscal years.

563 (ii) The homelessness council may request additional information as needed to make
564 the evaluation described in Subsection [~~(3)~~] (2)(e).

565 (e) The homelessness council shall evaluate a request made in accordance with this
566 Subsection [~~(3)~~] (2) using the following factors:

567 (i) the strength [~~and reliability of the data]~~ of the proposal that the eligible
568 [municipality] entity provided to support the request;

569 (ii) if the eligible [municipality] entity received account funds during the previous
570 fiscal year, the efficiency with which the eligible [municipality] entity used any account funds
571 during the previous fiscal year;

572 (iii) the availability of funding for the eligible entity as provided in Subsection
573 [35A-16-402\(4\)](#);

574 [~~(iii)~~] (iv) the availability of alternative funding for the eligible [municipality] entity to
575 address the eligible [municipality's need for public safety services] entity's needs due to the
576 location of an eligible shelter; [and]

577 (v) if the applicant is an eligible municipality, whether the eligible municipality enacts
578 and enforces an ordinance that prohibits camping; and

579 [~~(iv)~~] (vi) any other considerations identified by the homelessness council.

580 (f) (i) After making the evaluation described in Subsection [~~(3)(e)~~] and subject to other
581 provisions of this Subsection [~~(3)(f)~~] (2)(e), the homelessness council shall vote to [~~recommend~~
582 ~~that~~] either approve or deny an eligible [municipality's request be:] entity's request for account
583 funds.

584 ~~[(A) funded as requested; or]~~
585 ~~[(B) funded at a reduced level, as determined by the homelessness council.]~~
586 (ii) The homelessness council shall support the ~~[recommendation described in~~
587 ~~Subsection (3)(f)(i)]~~ homelessness council's decision under Subsection (2)(f)(i) with findings
588 on each of the factors described in Subsection ~~[(3)]~~ (2)(e).
589 ~~[(g) The committee shall submit the recommendation described in Subsection (3)(f)~~
590 ~~to:]~~
591 ~~[(i) the governor for inclusion in the governor's budget to be submitted to the~~
592 ~~Legislature; and]~~
593 ~~[(ii) the Social Services Appropriations Subcommittee of the Legislature for approval~~
594 ~~in accordance with Section 63J-1-802.]~~
595 ~~[(h) (i) An eligible municipality that is approved to receive account funds under~~
596 ~~Section 63J-1-802 shall submit an invoice of the eligible municipality's expenses, with~~
597 ~~supporting documentation, to the office monthly for reimbursement.]~~
598 ~~[(ii) Each month, the office shall disburse the revenue in the account to reimburse an~~
599 ~~eligible municipality that submits the information described in Subsection (3)(h)(i) for the~~
600 ~~amount on the invoice or contract.]~~
601 (g) (i) If the homelessness council approves an eligible entity's request to receive
602 account funds under Subsection (2)(f), the office, subject to appropriation, shall calculate the
603 amount of funds for disbursement to the eligible entity under Subsection 35A-16-402(4).
604 (ii) An eligible entity that is approved to receive account funds may submit an invoice
605 of the eligible entity's expenses, with supporting documentation, to the office monthly for
606 reimbursement.
607 ~~[(4)]~~ (3) On or before October 1, the coordinator, in cooperation with the homelessness
608 council, shall:
609 (a) submit an annual written report electronically to the Social Services Appropriations
610 Subcommittee of the Legislature that gives a complete accounting of the office's disbursement
611 of the money from the account under this section for the previous fiscal year; and
612 (b) include information regarding the disbursement of money from the account under
613 this section in the annual report described in Section 35A-1-109.
614 (4) In accordance with Title 63G, Chapter 3, Administrative Rulemaking Act, the

615 office shall make rules governing the process for calculating the amount of funds that an
616 eligible entity may receive under Subsection 35A-16-402(4).

617 Section 10. Section **35A-16-404**, which is renumbered from Section 35A-16-307 is
618 renumbered and amended to read:

619 ~~[35A-16-307].~~ **35A-16-404. Certification of eligible municipality.**

620 (1) The office shall certify each year, on or after July 1 and before the first meeting of
621 the homelessness council after July 1, the ~~[cities or towns]~~ municipalities that meet the
622 requirements of ~~[an]~~ a first-tier eligible municipality or a second-tier eligible municipality ~~[or a~~
623 ~~grant eligible entity]~~ as of July 1.

624 (2) On or before October 1, the office shall provide a list of the ~~[cities, towns, or metro~~
625 ~~townships]~~ municipalities that the office has certified as meeting the requirements of ~~[an]~~ a
626 first-tier eligible municipality or a second-tier eligible municipality ~~[or a grant eligible entity]~~
627 for the year to the State Tax Commission.

628 Section 11. Section **35A-16-501** is enacted to read:

629 **Part 5. Overflow Plan Requirements**

630 **35A-16-501. Definitions.**

631 As used in this part:

632 (1) "Applicable county" means a county of the first class.

633 (2) "Capacity limit" means a limit as to the number of individuals that a homeless
634 shelter may provide overnight shelter to under a conditional use permit.

635 (3) "Council of governments" means the same as that term is defined in Section
636 72-2-117.5.

637 (4) "Homeless shelter" means a facility that:

638 (a) is located within an applicable county;

639 (b) provides temporary shelter to individuals experiencing homelessness;

640 (c) has the capacity to provide temporary shelter to at least 200 individuals per night;

641 (d) operates year-round; and

642 (e) is not subject to restrictions that limit the hours, days, weeks, or months of
643 operation.

644 (5) "Municipality" means a city, town, or metro township.

645 (6) "Overflow period" means the period beginning October 1 and ending April 30 of

646 the following year.

647 (7) "Overflow plan" means the plan described in Subsection 35A-16-502(1).

648 (8) "State facility" means the same as that term is defined in Section 63A-5b-1001.

649 (9) "Subsequent overflow period" means the overflow period that begins on October 1
650 of the year in which the office sends a notice of noncompliance under Subsection
651 35A-16-502(5).

652 (10) "Temporary overflow shelter" means a facility that:

653 (a) provides temporary emergency shelter to homeless individuals during an overflow
654 period; and

655 (b) does not operate year-round.

656 Section 12. Section 35A-16-502 is enacted to read:

657 **35A-16-502. Overflow plan required -- Contents -- Review - Consequences after**
658 **determination of noncompliance.**

659 (1) On or before September 1 of each year, a council of governments of a county of the
660 first class shall prepare and submit to the office an overflow plan in coordination with the local
661 homeless council with jurisdiction over the applicable county.

662 (2) The overflow plan shall:

663 (a) establish plans for the operation of one or more temporary overflow shelters within
664 the applicable county during the subsequent overflow period;

665 (b) ensure that each temporary overflow shelter described in Subsection (2)(a) will
666 meet all local zoning requirements before beginning operations;

667 (c) provide assurances that individuals experiencing homelessness in the applicable
668 county will have sufficient access to shelter during the subsequent overflow period; and

669 (d) be approved by:

670 (i) the entities described in Subsection (1); and

671 (ii) the chief executive officer of each municipality located within the applicable
672 county in which a temporary overflow shelter is planned to be located under the overflow plan.

673 (3) Within 10 days after the day on which the office receives an overflow plan under
674 this section, the office shall, in accordance with Subsection (4), complete a review of the
675 overflow plan to determine if the overflow plan complies with this section.

676 (4) The office shall make a determination of noncompliance if:

677 (a) after completing a review of an overflow plan, the office determines that the
678 overflow plan does not meet the requirements of Subsection (2); or
679 (b) a council of governments of a county of the first class fails to submit an overflow
680 plan under this section.

681 (5) No later than five days after the day on which the office makes a determination of
682 noncompliance under Subsection (4), the office shall send a notice of noncompliance to:
683 (a) the entities described in Subsection (1); and
684 (b) the legislative body of each municipality located within the applicable county.
685 (6) If the office makes a determination of noncompliance under Subsection (4) and
686 sends a notice of noncompliance in accordance with Subsection (5), the following provisions
687 apply during the subsequent overflow period:
688 (a) except as provided in Subsection (7), a homeless shelter located within the
689 applicable county may have an occupant load factor of one individual for every 40 net square
690 feet, provided that:
691 (i) the homeless shelter complies with the applicable building code and fire code;
692 (ii) the fire code official approves the layout of the homeless shelter; and
693 (iii) the homeless shelter's total capacity does not exceed 35% of the capacity limit
694 applicable to the homeless shelter on January 1, 2022;
695 (b) a municipality located within the applicable county may not:
696 (i) enact or enforce an ordinance that imposes a capacity limit on a homeless shelter
697 that conflicts with Subsection (6)(a); or
698 (ii) enact or enforce an ordinance that restricts an entity from operating a temporary
699 overflow shelter from a facility owned or operated by the entity, provided that the temporary
700 overflow shelter complies with rules made by the office under Section 35A-16-503; and
701 (c) subject to Subsection (8) and rules made by the office under Section 35A-16-503,
702 the office may contract with a for-profit or nonprofit entity to operate a temporary overflow
703 shelter from a state facility located within the applicable county:
704 (i) in coordination with the Division of Facilities Construction and Management; and
705 (ii) in accordance with Title 63G, Chapter 6a, Utah Procurement Code.
706 (7) Subsection (6)(a) does not apply to a homeless shelter that is reserved exclusively
707 for use by families.

708 (8) A temporary overflow shelter described in Subsection (6)(c) may not be located:

709 (a) within a municipality that has within the municipality's boundaries a homeless

710 shelter with capacity to provide temporary shelter to 300 individuals per night; or

711 (b) within a one-mile radius of a homeless shelter.

712 Section 13. Section **35A-16-503** is enacted to read:

713 **35A-16-503. Rules.**

714 In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the

715 office shall make rules governing:

716 (1) the submission of an overflow plan under Subsection [35A-16-502\(1\)](#);

717 (2) the review of an overflow plan for purposes of determining compliance under

718 Subsections [35A-16-502\(3\)](#) and (4);

719 (3) the process of sending a notice of noncompliance under Subsection [35A-16-502\(5\)](#);

720 and

721 (4) the establishment and operation of a temporary overflow shelter under Subsections

722 [35A-16-502\(6\)\(b\)\(ii\)](#) and (c).

723 Section 14. Section **59-12-205** is amended to read:

724 **59-12-205. Ordinances to conform with statutory amendments -- Distribution of**
725 **tax revenue -- Determination of population.**

726 (1) To maintain in effect sales and use tax ordinances adopted pursuant to Section

727 [59-12-204](#), a county, city, or town shall adopt amendments to the county's, city's, or town's

728 sales and use tax ordinances:

729 (a) within 30 days of the day on which the state makes an amendment to an applicable

730 provision of Part 1, Tax Collection; and

731 (b) as required to conform to the amendments to Part 1, Tax Collection.

732 (2) Except as provided in Subsections (3) through (5) and subject to Subsection (6):

733 (a) 50% of each dollar collected from the sales and use tax authorized by this part shall

734 be distributed to each county, city, and town on the basis of the percentage that the population

735 of the county, city, or town bears to the total population of all counties, cities, and towns in the

736 state; and

737 (b) (i) except as provided in Subsections (2)(b)(ii) and (iii), 50% of each dollar

738 collected from the sales and use tax authorized by this part shall be distributed to each county,

739 city, and town on the basis of the location of the transaction as determined under Sections
740 59-12-211 through 59-12-215;

741 (ii) 50% of each dollar collected from the sales and use tax authorized by this part
742 within a project area described in a project area plan adopted by the military installation
743 development authority under Title 63H, Chapter 1, Military Installation Development
744 Authority Act, shall be distributed to the military installation development authority created in
745 Section 63H-1-201; and

746 (iii) 50% of each dollar collected from the sales and use tax authorized by this part
747 within a project area under Title 11, Chapter 58, Utah Inland Port Authority Act, shall be
748 distributed to the Utah Inland Port Authority, created in Section 11-58-201.

749 (3) (a) Beginning on July 1, 2017, and ending on June 30, 2022, the commission shall
750 distribute annually to a county, city, or town the distribution required by this Subsection (3) if:

751 (i) the county, city, or town is a:

752 (A) county of the third, fourth, fifth, or sixth class;

753 (B) city of the fifth class; or

754 (C) town;

755 (ii) the county, city, or town received a distribution under this section for the calendar
756 year beginning on January 1, 2008, that was less than the distribution under this section that the
757 county, city, or town received for the calendar year beginning on January 1, 2007;

758 (iii) (A) for a county described in Subsection (3)(a)(i)(A), the county had located
759 within the unincorporated area of the county for one or more days during the calendar year
760 beginning on January 1, 2008, an establishment described in NAICS Industry Group 2121,
761 Coal Mining, or NAICS Code 213113, Support Activities for Coal Mining, of the 2002 North
762 American Industry Classification System of the federal Executive Office of the President,
763 Office of Management and Budget; or

764 (B) for a city described in Subsection (3)(a)(i)(B) or a town described in Subsection
765 (3)(a)(i)(C), the city or town had located within the city or town for one or more days during
766 the calendar year beginning on January 1, 2008, an establishment described in NAICS Industry
767 Group 2121, Coal Mining, or NAICS Code 213113, Support Activities for Coal Mining, of the
768 2002 North American Industry Classification System of the federal Executive Office of the
769 President, Office of Management and Budget; and

770 (iv) (A) for a county described in Subsection (3)(a)(i)(A), at least one establishment
771 described in Subsection (3)(a)(iii)(A) located within the unincorporated area of the county for
772 one or more days during the calendar year beginning on January 1, 2008, was not the holder of
773 a direct payment permit under Section 59-12-107.1; or

774 (B) for a city described in Subsection (3)(a)(i)(B) or a town described in Subsection
775 (3)(a)(i)(C), at least one establishment described in Subsection (3)(a)(iii)(B) located within a
776 city or town for one or more days during the calendar year beginning on January 1, 2008, was
777 not the holder of a direct payment permit under Section 59-12-107.1.

778 (b) The commission shall make the distribution required by this Subsection (3) to a
779 county, city, or town described in Subsection (3)(a):

780 (i) from the distribution required by Subsection (2)(a); and

781 (ii) before making any other distribution required by this section.

782 (c) (i) For purposes of this Subsection (3), the distribution is the amount calculated by
783 multiplying the fraction calculated under Subsection (3)(c)(ii) by \$333,583.

784 (ii) For purposes of Subsection (3)(c)(i):

785 (A) the numerator of the fraction is the difference calculated by subtracting the
786 distribution a county, city, or town described in Subsection (3)(a) received under this section
787 for the calendar year beginning on January 1, 2008, from the distribution under this section that
788 the county, city, or town received for the calendar year beginning on January 1, 2007; and

789 (B) the denominator of the fraction is \$333,583.

790 (d) A distribution required by this Subsection (3) is in addition to any other distribution
791 required by this section.

792 (4) (a) As used in this Subsection (4):

793 (i) "Eligible county, city, or town" means a county, city, or town that:

794 (A) for fiscal year 2012-13, received a tax revenue distribution under Subsection (4)(b)
795 equal to the amount described in Subsection (4)(b)(ii); and

796 (B) does not impose a sales and use tax under Section 59-12-2103 on or before July 1,
797 2016.

798 (ii) "Minimum tax revenue distribution" means the total amount of tax revenue
799 distributions an eligible county, city, or town received from a tax imposed in accordance with
800 this part for fiscal year 2004-05.

801 (b) An eligible county, city, or town shall receive a tax revenue distribution for a tax
802 imposed in accordance with this part equal to the greater of:

- 803 (i) the payment required by Subsection (2); or
- 804 (ii) the minimum tax revenue distribution.

805 (5) (a) For purposes of this Subsection (5):

806 (i) "Annual local contribution" means the lesser of \$200,000 or an amount equal to
807 1.8% of the participating local government's tax revenue distribution amount under Subsection
808 (2)(a) for the previous fiscal year.

809 (ii) "Participating local government" means a county or municipality, as defined in
810 Section 10-1-104, that is not an eligible municipality [~~or grant eligible entity~~] certified in
811 accordance with Section [~~35A-16-307~~] [35A-16-404](#).

812 (b) For revenue collected from the tax authorized by this part that is distributed on or
813 after January 1, 2019, the commission, before making a tax revenue distribution under
814 Subsection (2)(a) to a participating local government, shall:

815 (i) subtract one-twelfth of the annual local contribution for each participating local
816 government from the participating local government's tax revenue distribution under
817 Subsection (2)(a); and

818 (ii) deposit the amount described in Subsection (5)(b)(i) into the Homeless Shelter
819 Cities Mitigation Restricted Account created in Section [~~35A-16-304~~] [35A-16-402](#).

820 (c) For a participating local government that qualifies to receive a distribution
821 described in Subsection (3) or (4), the commission shall apply the provisions of this Subsection
822 (5) after the commission applies the provisions of Subsections (3) and (4).

823 (6) (a) Population figures for purposes of this section shall be based on the most recent
824 official census or census estimate of the United States Bureau of the Census.

825 (b) If a needed population estimate is not available from the United States Bureau of
826 the Census, population figures shall be derived from the estimate from the Utah Population
827 Committee.

828 (c) The population of a county for purposes of this section shall be determined only
829 from the unincorporated area of the county.

830 Section 15. **Repealer.**

831 This bill repeals:

832 Section [35A-16-306](#), Grant eligible entity application process for Homeless Shelter
833 Cities Mitigation Restricted Account funds.

834 Section [63J-1-801](#), Definitions.

835 Section [63J-1-802](#), Submission of council recommendations -- Adoption,
836 procedure, and approval -- Appropriation.

837 Section 16. Appropriation.

838 The following sums of money are appropriated for the fiscal year beginning July 1,
839 2022, and ending June 30, 2023. These are additions to amounts previously appropriated for
840 fiscal year 2023. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures
841 Act, the Legislature appropriates the following sums of money from the funds or accounts
842 indicated for the use and support of the government of the state of Utah.

843 ITEM 1

844 To Department of Workforce Services -- Office of Homeless Services

845 From General Fund, One-time \$5,800,000

846 Schedule of Programs:

847 Homeless Services \$5,800,000

848 The Legislature intends that:

849 (1) the Office of Homeless Services use appropriations under this item to provide loan
850 repayment assistance to homeless shelters as defined in Section [35A-16-501](#); and

851 (2) under Utah Code Section [63J-1-603](#), appropriations under this item not lapse at the
852 close of fiscal year 2023.

853 ITEM 2

854 To General Fund Restricted -- Homeless Shelter Cities Mitigation Restricted Account

855 From General Fund \$5,000,000

856 Schedule of Programs:

857 General Fund Restricted -- Homeless Shelter Cities Mitigation

858 Restricted Account \$5,000,000

859 ITEM 3

860 To Department of Workforce Services -- Office of Homeless Services

861 From General Fund Restricted -- Homeless Shelter Cities Mitigation

862 Restricted Account \$5,000,000

863 Schedule of Programs:

864 Homeless Services \$5,000,000

865 The Legislature intends that the Office of Homeless Services use appropriations under

866 this item for disbursing account funds to eligible entities in accordance with Sections

867 35A-16-402 and 35A-16-403.

868 Section 17. **Effective date.**

869 (1) Except as provided in Subsection (2), this bill takes effect on May 4, 2022.

870 (2) The actions affecting the following sections take effect on July 1, 2022:

871 (a) Section 35A-16-203;

872 (b) Section 35A-16-306;

873 (c) Section 35A-16-401;

874 (d) Section 35A-16-402;

875 (e) Section 35A-16-403;

876 (f) Section 35A-16-404;

877 (g) Section 59-12-205;

878 (h) Section 63J-1-801; and

879 (i) Section 63J-1-802.