

Representative Tyler Clancy proposes the following substitute bill:

HOMELESSNESS SERVICES AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Tyler Clancy

Senate Sponsor: Kirk A. Cullimore

Cosponsors: Paul A. Cutler Trevor Lee
Cheryl K. Acton Colin W. Jack

LONG TITLE

General Description:

This bill modifies provisions related to the provision of homeless services.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ renames the Utah Homelessness Council to the Utah Homeless Services Board (the board);
- ▶ changes the size and membership of the board;
- ▶ changes the size, membership, and duties of the executive committee of the board;
- ▶ exempts the executive committee from the Open and Public Meetings Act;
- ▶ expands the board's duties;
- ▶ establishes additional data that the Office of Homeless Services shall report to the public and the Legislature;
- ▶ requires the state and local ~~§~~→ [homelessness] homeless ←~~§~~ councils to establish goals for making progress towards exiting individuals from homelessness;



211 (5) In cooperation with the [~~homelessness council~~] board, the coordinator shall update
212 the annual statewide budget and the strategic plan described in this section on an annual basis.

213 (6) (a) On or before October 1, the coordinator shall provide a written report to the
214 department for inclusion in the department's annual written report described in Section
215 35A-1-109.

216 (b) The written report shall include:

217 (i) the homeless services budget;

218 (ii) the strategic plan;

219 (iii) recommendations regarding improvements to coordinating and providing services
220 to individuals experiencing homelessness in the state; [~~and~~]

221 (iv) in coordination with the [~~homelessness council~~] board, a complete accounting of
222 the office's disbursement of funds during the previous fiscal year from:

223 (A) the Pamela Atkinson Homeless Account created in Section 35A-16-301;

224 (B) the Homeless to Housing Reform Restricted Account created in Section
225 35A-16-303;

226 (C) the Homeless Shelter Cities Mitigation Restricted Account created in Section
227 35A-16-402;

228 (D) the COVID-19 Homeless Housing and Services Grant Program created in Section
229 35A-16-602; and

230 (E) any other grant program created in statute that is administered by the office[~~:-~~]; and

231 (v) the data described in Section 35A-16-208.

232 Section 4. Section ~~35A-16-204~~ is repealed and reenacted to read:

233 **35A-16-204. Utah Homeless Services Board.**

234 (1) There is created within the office the Utah Homeless Services Board.

235 (2) (a) The board shall consist of the following members:

236 (i) a representative, appointed ~~§~~→ [~~jointly~~] ←~~§~~ by the speaker of the House of

236a Representatives

237 ~~§~~→ [~~and the president of the Senate~~] ←~~§~~ ;

237a ~~§~~→ (ii) a representative, appointed by the president of the Senate; ←~~§~~

238 ~~§~~→ [(ii)] (iii) ←~~§~~ a private sector representative, appointed by the governor;

239 ~~§~~→ [(iii)] (iv) ←~~§~~ a representative, appointed by the governor;

240 ~~§~~→ [(iv)] (v) ←~~§~~ a statewide philanthropic leader, appointed by the Utah Impact Partnership

240a or the

241 partnership's successor organization;

242 ~~§~~→ [(v)] (vi) ←~~§~~ the mayor of Salt Lake City;

243 ~~§~~→ [(vi)] (vii) ←~~§~~ the chief executive officer appointed by the Shelter Cities Advisory

243a Council in

244 accordance with Section 35A-16-210;

245 ~~§~~→ [(vii)] (viii) ←~~§~~ an elected official appointed by the Utah Association of Counties or the

246 association's successor organization;

247 ~~§~~→ [(viii)] (ix) ←~~§~~ a county employee who oversees behavioral health, appointed by the

247a Utah

248 Association of Counties or the association's successor organization;

249 ~~§~~→ [(ix)] (x) ←~~§~~ an individual who represents the Utah Homeless Network; and

250 ~~§~~→ [(x)] (xi) ←~~§~~ the coordinator.

251 (b) The governor shall select a board member to serve as chair of the board.

252 ~~§~~→ [(c) ~~The member described in Subsection (2)(a)(ix) is a nonvoting board member.~~] ←~~§~~

253 (3) The following four members of the board shall serve as the executive committee:

254 (a) the coordinator; and

255 (b) three board members chosen by the board chair, which shall include one of the

256 members described in Subsection ~~§~~→ [(2)(a)(v) or] ←~~§~~ (2)(a)(vi) ~~§~~→ or (2)(a)(vii) ←~~§~~ .

257 (4) (a) The board shall meet at least once per calendar quarter.

258 (b) The chair, the coordinator, or three of the board members may call a board meeting.

259 (c) The individual calling the meeting shall provide notice of the meeting to the board

260 members at least three calendar days in advance of the meeting.

261 (5) A majority of the voting members of the board constitutes a quorum of the board at

262 any meeting, and the action of the majority of voting members present constitutes the action of

263 the board.

264 (6) (a) A majority of members of the executive committee constitutes a quorum of the

265 executive committee at any meeting, and the action of the majority of members present

266 constitutes the action of the executive committee.

267 (b) The executive committee is exempt from the requirements described in Title 52,

268 Chapter 4, Open and Public Meetings Act.

269 (7) (a) Except as required by Subsection (7)(c):

270 (i) each appointed member of the board, other than a board member described in

271 Subsection ~~§~~→ [(2)(a)(vi)] (2)(a)(vii) ←~~§~~ , shall serve a four-year term; and

272 (ii) the board member appointed in accordance with Subsection ~~§~~→ [(2)(a)(vi)] (2)(a)(vii)

272a ←~~§~~ shall serve a

428 (2) annual operating cost per bed of a homeless resource center or emergency shelter,
 429 including utilities, staff, and maintenance.

430 Section 8. Section **35A-16-210** is enacted to read:

431 **35A-16-210. Shelter Cities Advisory Board.**

432 (1) There is established the Shelter Cities Advisory Board.

433 (2) The Shelter Cities Advisory Board shall consist of the following members:

434 (a) the chief executive officer of each first-tier eligible municipality, or the chief
 435 executive officer's designee; and

436 (b) the chief executive officer of each second-tier eligible municipality, or the chief
 437 executive officer's designee.

438 (3) (a) The Shelter Cities Advisory Board shall appoint, in accordance with this
 439 section, one chief executive officer representing a municipality as a member to the board.

440 (b) The members of the Shelter Cities Advisory Board shall make an appointment, or
 441 fill a vacancy, by a majority vote of all members of the Shelter Cities Advisory Board who are
 442 present at the meeting during which an appointment is made.

443 (c) The Shelter Cities Advisory Board may not appoint the chief executive officer
 444 described in Subsection ~~§~~→ [35A-16-204(2)(a)(v)] 35A-16-204(2)(a)(vi) ←~~§~~ .

445 (d) Section 35A-16-204 governs other terms of appointment.

446 (4) The Shelter Cities Advisory Board may make recommendations to the board
 447 regarding improvements to coordinating and providing services to individuals experiencing
 448 homelessness in the state.

449 (5) The office and an association representing at least two municipalities in the state
 450 shall jointly provide staff and administrative support to the Shelter Cities Advisory Board.

451 Section 9. Section **35A-16-301** is amended to read:

452 **35A-16-301. Creation of Pamela Atkinson Homeless Account.**

453 (1) There is created a restricted account within the General Fund known as the "Pamela
 454 Atkinson Homeless Account."

455 (2) Private contributions received under this section and Section 59-10-1306 shall be
 456 deposited into the restricted account to be used only for programs described in this chapter.

457 (3) Money shall be appropriated from the restricted account to the [homelessness
 458 council] board in accordance with Title 63J, Chapter 1, Budgetary Procedures Act.