

HOMELESS SERVICES FUNDING AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Mark A. Strong

Senate Sponsor: Don L. Ipson

LONG TITLE

General Description:

This bill authorizes the Utah Homeless Network Steering Committee to develop a funding formula.

Highlighted Provisions:

This bill:

▶ ~~H~~ → [~~authorizes~~] requires ← ~~H~~ the Utah Homeless Network Steering Committee to develop a funding

formula for the provision of homeless services;

▶ describes the criteria the Utah Homeless Network Steering Committee shall use in developing a funding formula for the provision of homeless services;

▶ requires the Utah Homelessness Council to approve any funding formula developed by the Utah Homeless Network Steering Committee by a two-thirds vote;

▶ requires the state homelessness coordinator to utilize an approved funding formula in disbursing funds for the provision of homeless services; and

▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:



- 28 **35A-16-202**, as enacted by Laws of Utah 2021, Chapter 281
- 29 **35A-16-203**, as last amended by Laws of Utah 2023, Chapter 302
- 30 **35A-16-205**, as last amended by Laws of Utah 2022, Chapter 403
- 31 **35A-16-207**, as enacted by Laws of Utah 2022, Chapter 403

32 ENACTS:

33 **35A-16-208**, Utah Code Annotated 1953



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

36 Section 1. Section **35A-16-202** is amended to read:

37 **35A-16-202. Powers and duties of the office.**

38 (1) The office shall, under the direction of the coordinator:

- 39 (a) assist in providing homeless services in the state;
- 40 (b) coordinate the provision of homeless services in the state; ~~and~~
- 41 (c) manage, with the concurrence of Continuum of Care organizations approved by the
- 42 United States Department of Housing and Urban Development, a Homeless Management
- 43 Information System for the state that:

44 (i) shares client-level data between state agencies, local governments, and private

45 organizations that provide services to homeless individuals and families and individuals at risk

46 of homelessness in the state;

47 (ii) is effective as a case management system;

48 (iii) except for individuals receiving services who are victims of domestic violence,

49 includes an effective authorization protocol for encouraging individuals who are provided with

50 any homeless services in the state to provide accurate information to providers for inclusion in

51 the HMIS; and

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

53 Development and other federal requirements~~[-];~~ and

54 (d) provide support to the steering committee in developing the formula described in

55 Section **35A-15-208**.

56 (2) The office may:

57 (a) by following the procedures and requirements of Title 63J, Chapter 5, Federal

58 Funds Procedures Act, seek federal grants, loans, or participation in federal programs; and

59 (b) for any federal program that requires the expenditure of state funds as a condition
60 for participation by the state in a fund, property, or service, with the governor's approval,
61 expend whatever funds are necessary out of the money provided by the Legislature for the use
62 of the office.

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

64 **35A-16-203. Powers and duties of the coordinator.**

65 (1) The coordinator shall:

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

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

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

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

76 (i) Pamela Atkinson Homeless Account created in Section [35A-16-301](#);

77 (ii) Homeless to Housing Reform Restricted Account created in Section [35A-16-303](#);

78 and

79 (iii) Homeless Shelter Cities Mitigation Restricted Account created in Section
80 [35A-16-402](#);

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

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

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

88 (2) The coordinator, in cooperation with the homelessness council, shall ensure that the
89 homeless services budget described in Subsection (1)(b) includes an overview and coordination

90 plan for all funding sources for homeless services in the state, including from state agencies,
91 Continuum of Care organizations, housing authorities, local governments, federal sources, and
92 private organizations.

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

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

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

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

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

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

109 (a) shall prioritize the funding of programs and providers that have a documented
110 history of successfully reducing the number of individuals experiencing homelessness,
111 reducing the time individuals spend experiencing homelessness, moving individuals
112 experiencing homelessness to permanent housing, or reducing the number of individuals who
113 return to experiencing homelessness; ~~and~~

114 (b) except for a program or provider providing services to victims of domestic
115 violence, may not approve funding to a program or provider that does not enter into a written
116 agreement with the office to collect and share HMIS data regarding the provision of services to
117 individuals experiencing homelessness so that the provision of services can be coordinated
118 among state agencies, local governments, and private organizations~~[-]; and~~

119 (c) if the homelessness council has approved a funding formula developed by the
120 steering committee, as described in Section [35A-16-205](#):

121 (i) except as provided in Subsection (4)(c)(ii), shall utilize that funding formula in
122 disbursing funds for the provision of homeless services; and

123 (ii) shall ensure that any federal funds not subject to the funding formula are disbursed
124 in accordance with any applicable federal requirements.

125 (5) In cooperation with the homelessness council, the coordinator shall update the
126 annual statewide budget and the strategic plan described in this section on an annual basis.

127 (6) (a) On or before October 1, the coordinator shall provide a written report to the
128 department for inclusion in the department's annual written report described in Section
129 [35A-1-109](#).

130 (b) The written report shall include:

131 (i) the homeless services budget;

132 (ii) the strategic plan;

133 (iii) recommendations regarding improvements to coordinating and providing services
134 to individuals experiencing homelessness in the state; and

135 (iv) in coordination with the homelessness council, a complete accounting of the
136 office's disbursement of funds during the previous fiscal year from:

137 (A) the Pamela Atkinson Homeless Account created in Section [35A-16-301](#);

138 (B) the Homeless to Housing Reform Restricted Account created in Section
139 [35A-16-303](#);

140 (C) the Homeless Shelter Cities Mitigation Restricted Account created in Section
141 [35A-16-402](#);

142 (D) the COVID-19 Homeless Housing and Services Grant Program created in Section
143 [35A-16-602](#); and

144 (E) any other grant program created in statute that is administered by the office.

145 Section 3. Section **35A-16-205** is amended to read:

146 **35A-16-205. Duties of the homelessness council.**

147 (1) The homelessness council:

148 [(+)] (a) shall provide final approval for:

149 [(a)] (i) a funding formula developed by the steering committee under Section
150 [35A-16-208](#);

151 (ii) the homeless services budget;

152 ~~[(b)]~~ (iii) the strategic plan; and
153 ~~[(c)]~~ (iv) the awarding of funding for the provision of homeless services as described in
154 Subsection 35A-16-203(1)(d);
155 ~~[(2)]~~ (b) in cooperation with the coordinator, shall:
156 ~~[(a)]~~ (i) develop and maintain the homeless services budget;
157 ~~[(b)]~~ (ii) develop and maintain the strategic plan; and
158 ~~[(c)]~~ (iii) review applications and approve funding for the provision of homeless
159 services in the state as described in Subsection 35A-16-203(1)(d);
160 ~~[(3)]~~ (c) shall review local and regional plans for providing services to individuals
161 experiencing homelessness;
162 ~~[(4)]~~ (d) shall cooperate with local homeless councils to:
163 ~~[(a)]~~ (i) develop a common agenda and vision for reducing homelessness in each local
164 oversight body's respective region;
165 ~~[(b)]~~ (ii) as part of the homeless services budget, develop a spending plan that
166 coordinates the funding supplied to local stakeholders; and
167 ~~[(c)]~~ (iii) align local funding to projects that improve outcomes and target specific
168 needs in each community;
169 ~~[(5)]~~ (e) shall coordinate gap funding with private entities for providing services to
170 individuals experiencing homelessness;
171 ~~[(6)]~~ (f) shall recommend performance and accountability measures for service
172 providers, including the support of collecting consistent and transparent data; and
173 ~~[(7)]~~ (g) when reviewing and giving final approval for requests as described in
174 Subsection 35A-16-203(1)(d):
175 ~~[(a)]~~ (i) may only recommend funding if the proposed recipient has a policy to share
176 client-level service information with other entities in accordance with state and federal law to
177 enhance the coordination of services for individuals who are experiencing homelessness; and
178 ~~[(b)]~~ (ii) shall identify specific targets and benchmarks that align with the strategic plan
179 for each recommended award.
180 (2) (a) In approving a funding formula, as described in Subsection (1)(a)(i), the
181 homelessness council shall take action on a proposed funding formula by a two-thirds vote.
182 (b) If the homelessness council cannot approve a proposed funding formula, the

183 homelessness council shall refer the proposed funding formula back to the steering committee
 184 for further consideration.

185 Section 4. Section **35A-16-207** is amended to read:

186 **35A-16-207. Duties of the steering committee.**

187 (1) The steering committee shall:

188 ~~[(1)]~~ (a) support connections across continuums of care, local homeless councils, and
 189 state and local governments;

190 ~~[(2)]~~ (b) coordinate statewide emergency and crisis response in relation to services for
 191 individuals experiencing homelessness;

192 ~~[(3)]~~ (c) provide training to providers of services for individuals experiencing
 193 homelessness, stakeholders, and policymakers;

194 ~~[(4)]~~ (d) educate the general public and other interested persons regarding the needs,
 195 challenges, and opportunities for individuals experiencing homelessness; and

196 ~~[(5)]~~ (e) make recommendations to the homelessness council regarding the awarding of
 197 funding for the provision of homeless services as described in Subsection **35A-16-203(1)(d)**.

198 (2) The steering committee ~~shall~~ **may** ~~shall~~ **shall**, in consultation with members of the
 198a homelessness
 199 council, the office, members of local homelessness councils, and the coordinator, develop a
 200 funding formula as described in Section **35A-16-208**.

201 Section 5. Section **35A-16-208** is enacted to read:

202 **35A-16-208. Funding formula.**

203 (1) The steering committee ~~shall~~ **may** ~~shall~~ **shall** develop a formula for the distribution of
 203a funds for the
 204 provision of homeless services.

205 (2) A formula for the distribution of funds for the provision of homeless services shall:

206 (a) take into consideration:

207 (i) the various needs of regions of the state;

208 (ii) ~~shall~~ **metrics and evidence of success;**

208a (iii) ~~shall~~ the goals outlined in the strategic plan; and

209 ~~shall~~ ~~[(iii)]~~ (iv) ~~shall~~ any other factor the steering committee considers necessary; and

210 (b) utilize objective metrics to ensure, as much as possible, an impartial result.

211 (3) A funding formula described in this section applies to federal funds received by the
 212 office for the provision of homeless services only insofar as any federal regulations governing
 213 those federal funds allow.

214 Section 6. **Effective date.**
215 This bill takes effect on May 1, 2024.