

SENATE BILL No. 542

By Committee on Ways and Means

3-11

1 AN ACT making and concerning appropriations for the fiscal-year **years**
2 ending June 30, 2025, **and June 30, 2026**; relating to the Kansas
3 department for aging and disability services; creating a grant program
4 to fund proposed homeless shelter infrastructure; establishing
5 requirements for such grants to be awarded; creating the homeless
6 shelter infrastructure grant fund in the state treasury; **requiring cities**
7 **and counties to adopt ordinances and resolutions regarding camping**
8 **and vagrancy; prohibiting the transportation of certain individuals;**
9 **providing for exceptions thereof.**

10
11 *Be it enacted by the Legislature of the State of Kansas:*

12 Section 1.

13 KANSAS DEPARTMENT FOR
14 AGING AND DISABILITY SERVICES

15 (a) There is appropriated for the above agency from the state general
16 fund for the fiscal year ending June 30, 2025, the following:

17 Homeless shelter infrastructure grant.....~~\$40,000,000~~**\$15,000,000**

18 Provided, That expenditures shall be made from the homeless shelter
19 infrastructure grant account in an amount not to exceed ~~\$40,000,000~~
20 **\$15,000,000** to administer a program intended to address homeless shelter

21 infrastructure pursuant to section ~~2~~ **3**, and amendments thereto: **Provided**

22 **further, That no moneys shall be expended from such account for the**

23 **building of or capital improvements to a homeless shelter located within**

24 **the boundaries of Sedgwick county precinct 606: And provided further,**

25 **That all expenditures from the homeless shelter infrastructure grant**

26 **account shall be used for the purposes of the building of or**

27 **improvements to a homeless shelter as required by section 3, and**

28 **amendments thereto, and shall be approved by the state finance council**

29 **acting on this matter, which is hereby characterized as a matter of**

30 **legislative delegation and subject to the guidelines prescribed in K.S.A.**

31 **75-3711c(c), and amendments thereto, except that such expenditure**

32 **shall be approved by the governor and six legislative members of the**

33 **state finance council and such approval also may be given while the**

34 **legislature is in session: And provided further, That the state finance**

35 **council is hereby authorized to approve the expenditure of moneys from**

36 **the homeless shelter infrastructure grant account for the building of or**

1 *improvements to a homeless shelter as required by section 3, and*
2 *amendments thereto: And provided further, That each grant recipient*
3 *shall receive 75% of the determined amount awarded by the above*
4 *agency for fiscal year 2025.*

5 *Sec. 2.*

6 **KANSAS DEPARTMENT FOR**
7 **AGING AND DISABILITY SERVICES**

8 *(a) There is appropriated for the above agency from the state*
9 *general fund for the fiscal year ending June 30, 2026, the following:*

10 *Homeless shelter infrastructure grant.....\$5,000,000*

11 *Provided, That expenditures shall be made from the homeless shelter*
12 *infrastructure grant account in an amount not to exceed \$5,000,000 to*
13 *administer a program pursuant to section 3, and amendments thereto:*
14 *Provided further, That no moneys shall be expended for the building of*
15 *or capital improvements to a homeless shelter located within the*
16 *boundaries of Sedgwick county precinct 606: And provided further, That*
17 *all expenditures from the homeless shelter infrastructure grant account*
18 *shall be used for the purposes of the building of or improvements to a*
19 *homeless shelter as required by section 3, and amendments thereto, and*
20 *shall be approved by the state finance council acting on this matter,*
21 *which is hereby characterized as a matter of legislative delegation and*
22 *subject to the guidelines prescribed in K.S.A. 75-3711c(c), and*
23 *amendments thereto, except that such expenditure shall be approved by*
24 *the governor and six legislative members of the state finance council*
25 *and such approval also may be given while the legislature is in session:*
26 *And provided further, That the state finance council is hereby*
27 *authorized to approve the expenditure of moneys from the homeless*
28 *shelter infrastructure grant account for the building of or improvements*
29 *to a homeless shelter as required by section 3, and amendments thereto:*
30 *And provided further, That each grant recipient shall receive 25% of the*
31 *determined amount awarded by the above agency for fiscal year 2026.*

32 *Sec. ~~2~~ 3. (a) As used in this section:*

33 *(1) "Shelter" means any facility whose primary purpose is to*
34 *provide temporary or transitional shelter for the general population or a*
35 *specific population of homeless individuals or families.*

36 *(2) "Wraparound services" means any program that serves the*
37 *underlying vocational, behavioral or physical health needs of the*
38 *general population or a specific population of homeless individuals or*
39 *families.*

40 *(b) Subject to appropriations, the secretary for aging and disability*
41 *services shall develop and administer a grant program to award funds to*
42 *Kansas local governments to be allocated for the building of or capital*
43 *improvements to congregate and non-congregate shelters that provide*

1 services for homeless individuals and families and persons at risk of
2 homelessness. ***The secretary shall award at least 20% of the total amount***
3 ***appropriated for such grant program to counties with a population of***
4 ***less than 90,000.***

5 ~~(b)~~(c) For the fiscal year ending June 30, 2025, the secretary for aging
6 and disability services shall award grants to Kansas local governments
7 that:

8 (1) Propose a building plan or improvement plan for a congregate or
9 non-congregate shelter that provides services for homeless individuals and
10 families and persons at risk of homelessness;

11 (2) provide wraparound ~~housing~~ services to homeless individuals and
12 families and persons at risk of homelessness;

13 (3) collect data required by the department of housing and urban
14 development;

15 (4) prioritize ~~long-term~~ wraparound services for persons who are
16 Kansas residents or have proof of presence within Kansas for eight
17 consecutive months;

18 ~~(5) provide long-term wraparound services prioritized for Kansas~~
19 ~~residents; and~~

20 ~~(6)~~ enforce local ordinances regarding camping and vagrancy ***and***
21 ***comply with section 4, and amendments thereto;***

22 ***(6) limit shelter space and wraparound services to persons with U.S.***
23 ***citizenship or lawful immigration status; and***

24 ***(7) implement and enforce a policy that individuals seeking to stay***
25 ***overnight at such shelter shall not be under the influence of drugs or***
26 ***alcohol.***

27 ~~(e)~~(d) Funding to a local government shall be matched by the local
28 government receiving the funding on the basis of \$1 provided by the local
29 government for each \$1 provided pursuant to this section. ***The unit of***
30 ***local government may receive and use private moneys received by such***
31 ***unit for the purpose of meeting the matching dollar amount required by***
32 ***this section.***

33 ~~(d)~~(e) ***On or before the 2025 regular session of the legislature, a***
34 ***unit of local government awarded funds under this section shall submit***
35 ***a report to the Kansas department for aging and disability services, the***
36 ***house of representatives committee on social services budget and***
37 ***appropriations and the senate committee on ways and means and any***
38 ***relevant subcommittee on enforcement actions required by subsection***
39 ***(b)(5) and outcomes measures from the awarded grants.***

40 ***(f)*** If the unit of local government has misused funds or failed to use
41 funds for the awarded purpose, enforce local ordinances ***and resolutions***
42 regarding camping and vagrancy, ***implement and enforce a policy***
43 ***regarding drugs and alcohol*** and provide the required wraparound

1 services:

2 (1) The unit shall pay the secretary for aging and disability services
3 the amount originally awarded under this section; or

4 (2) the secretary for aging and disability services may file for a lien to
5 be attached on the real property in the amount originally awarded under
6 this section.

7 ~~(e)~~**(g)** There is hereby established in the state treasury the homeless
8 shelter infrastructure grant fund, and such fund shall be administered by
9 the secretary for aging and disability services. All expenditures from the
10 homeless shelter infrastructure grant fund shall be for grants awarded
11 according to this section. All expenditures from the homeless shelter
12 infrastructure grant fund shall be made in accordance with appropriation
13 acts upon warrants of the director of accounts and reports issued pursuant
14 to vouchers approved by the secretary for aging and disability services or
15 the secretary's designee. All moneys received pursuant to subsection (d)
16 shall be remitted to the state treasurer in accordance with the provisions of
17 K.S.A. 75-4215, and amendments thereto. Upon receipt of each such
18 remittance, the state treasurer shall deposit the entire amount in the state
19 treasury to the credit of the homeless shelter infrastructure grant fund.

20 **(h)** *An employee of the shelter and the unit of local government*
21 *overseeing the shelter shall be liable for damages in a civil action for*
22 *injuries suffered by a person staying in such shelter resulting from a*
23 *failure or refusal to implement and enforce the policy described in*
24 *subsection (b)(7).*

25 **Sec. 4.** *(a) All cities and counties shall adopt an ordinance or*
26 *resolution, respectively, prohibiting unauthorized public camping,*
27 *sleeping or obstructions of sidewalks without exceptions or conditions*
28 *other than authorization by a temporary permit issued by such city or*
29 *county.*

30 *(b) No city or county shall refuse to enforce such ordinance or*
31 *resolution, respectively, prohibiting unauthorized public camping,*
32 *sleeping or obstruction of sidewalks.*

33 *(c) A city or county shall not adopt a written policy prohibiting a*
34 *law enforcement officer who is employed or otherwise under the*
35 *direction or control of such city or county from enforcing any ordinance*
36 *or resolution prohibiting unauthorized public camping, sleeping or*
37 *obstruction of sidewalks.*

38 *(d) The provisions of this section shall not be construed to prohibit*
39 *a city or county from adopting an ordinance or resolution that*
40 *encourages or offers the provision of services.*

41 *(e) Any person may bring a writ of mandamus for a violation of this*
42 *section for the person and for the state.*

43 **Sec. 5.** *(a) As used in this section:*

1 ***(1) "Drop off" means the act of transporting a homeless individual***
2 ***to a location within the state of Kansas different from the location where***
3 ***the party transporting such individual assumed custody, control or care***
4 ***of or provided treatment to such individual, including, but not limited to,***
5 ***directly providing or funding the transportation of such individual to***
6 ***such different location.***

7 ***(2) "Homeless individual" means a person who has no access to or***
8 ***reasonably can be expected to not have access to either traditional or***
9 ***permanent housing that is considered safe, sanitary, decent and***
10 ***affordable.***

11 ***(b) No city or county shall drop off a homeless individual outside***
12 ***such city's or county's jurisdiction within the state of Kansas unless:***

13 ***(1) Such drop-off location is in the city where such individual was a***
14 ***resident prior to receiving healthcare services or treatment; or***

15 ***(2) such drop off is at a facility or with a person, business or***
16 ***organization that has agreed to accept such individual.***

17 ***(c) A city or county that violates this section shall be liable to any***
18 ***state agency, city or county within the state of Kansas for any costs***
19 ***incurred by such state agency, city or county for providing services to a***
20 ***homeless individual as a result of such violation.***

21 ***Sec. 3- 6.*** This act shall take effect and be in force from and after its
22 publication in the statute book.