

1 **EMERGENCY RESPONSE PLANS FOR HOMELESSNESS**

2 2020 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Luz Escamilla**

5 House Sponsor: Sandra Hollins

7 **LONG TITLE**

8 **General Description:**

9 This bill relates to emergency response plans for homelessness.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ defines terms;
- 13 ▶ requires certain local oversight bodies to develop an emergency response plan to
- 14 respond to conditions that pose a risk to the health or safety of homeless individuals
- 15 and families; and
- 16 ▶ makes technical changes.

17 **Money Appropriated in this Bill:**

18 None

19 **Other Special Clauses:**

20 None

21 **Utah Code Sections Affected:**

22 AMENDS:

23 **35A-8-602**, as last amended by Laws of Utah 2019, Chapter 234

24 **35A-8-604**, as last amended by Laws of Utah 2019, Chapters 53, 94, and 234

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

27 Section 1. Section **35A-8-602** is amended to read:

28 **35A-8-602. Purposes of Homeless Coordinating Committee -- Uses of Pamela**
29 **Atkinson Homeless Account.**

30 (1) As used in this section:

31 (a) "Council of governments" means the same as that term is defined in Section
32 17B-2a-802.

33 (b) "Emergency situation" means conditions exist that pose a risk to the health or safety
34 of individuals and families experiencing homelessness.

35 ~~[(+)]~~ (2) The Homeless Coordinating Committee shall work to ensure that services
36 provided to the homeless by state agencies, local governments, and private organizations are
37 provided in a cost-effective and service efficient manner by:

38 (a) preparing and implementing a statewide strategic plan to minimize homelessness in
39 the state that:

40 (i) outlines specific goals and measurable benchmarks for progress;

41 (ii) identifies gaps in service delivery to the variety of homeless populations;

42 (iii) provides recommendations to the governor and the Legislature on strategies,
43 policies, procedures, and programs to address the needs of the homeless populations in the
44 state; and

45 (iv) identifies best practices and recommends improvements in coordinating service
46 delivery to the variety of homeless populations through the use of electronic databases and
47 through data sharing among service providers;

48 (b) evaluating annually the progress made toward achieving the goals outlined in the
49 plan described in Subsection ~~[(+)]~~ (2)(a); and

50 (c) designating local oversight bodies that are responsible to:

51 (i) develop a common agenda and vision for reducing homelessness in the local
52 oversight bodies' respective region;

53 (ii) develop a spending plan that coordinates the funding supplied to local stakeholders;

54 (iii) monitor the progress toward achieving state and local goals; ~~[and]~~

55 (iv) align local funding to projects that are improving outcomes and targeting specific
56 needs in the community~~[-];~~ and

57 (v) develop a nonbinding locally appropriate emergency response plan in coordination

58 with the council of governments of the county in which the local oversight body provides
59 services that:

60 (A) establishes guidelines for emergency response during an emergency situation;

61 (B) ensures that the basic needs of individuals and families experiencing homelessness
62 are met during an emergency situation;

63 (C) expands local capacity and infrastructure in response to an emergency situation,
64 including the development, construction, and improvement of emergency shelters;

65 (D) facilitates access to emergency services and individualized support for individuals
66 and families experiencing homelessness during an emergency situation; and

67 (E) expands outreach and education efforts for individuals and families experiencing
68 homelessness during an emergency situation.

69 ~~[(2)]~~ (3) (a) Programs funded by the committee shall emphasize emergency housing
70 and self-sufficiency, including placement in meaningful employment or occupational training
71 activities and, where needed, special services to meet the unique needs of the homeless who:

72 (i) have families with children;

73 (ii) have a disability or a mental illness; or

74 (iii) suffer from other serious challenges to employment and self-sufficiency.

75 (b) The committee may also fund treatment programs to ameliorate the effects of
76 substance abuse or a disability.

77 ~~[(3)]~~ (4) The committee members designated in Subsection 35A-8-601(2) shall:

78 (a) award contracts funded by the Pamela Atkinson Homeless Account with the advice
79 and input of those designated in Subsection 35A-8-601(3);

80 (b) in the evaluation of contract awards, consider whether:

81 (i) the proposed award addresses the needs identified in the strategic plan described in
82 Subsection ~~[(1)]~~ (2);

83 (ii) the proposed award is aligned with the process described in Subsection ~~[(1)]~~ (2);

84 and

85 (iii) the proposed contractor has a policy to share client-level service information with

86 other entities in accordance with state and federal law to enhance coordinated services for those
87 experiencing homelessness; and

88 (c) identify specific targets and benchmarks for each contract that align with the
89 strategic plan described in Subsection ~~[(1)]~~ (2).

90 ~~[(4)]~~ (5) (a) In any fiscal year, no more than 80% of the funds in the Pamela Atkinson
91 Homeless Account may be allocated to organizations that provide services only in Salt Lake,
92 Davis, Weber, and Utah Counties.

93 (b) The committee may:

94 (i) expend up to 3% of its annual appropriation for administrative costs associated with
95 the allocation of funds from the Pamela Atkinson Homeless Account, and up to 2% of its
96 annual appropriation for marketing the account and soliciting donations to the account; and

97 (ii) pay for the initial costs of the State Tax Commission in implementing Section
98 59-10-1306 from the account.

99 ~~[(5)]~~ (6) If there are decreases in contributions to the account, the committee may
100 expend money held in the account to provide program stability, but the committee shall
101 reimburse the amount of those expenditures to the account.

102 ~~[(6)]~~ (7) The committee shall make an annual report to the department regarding the
103 progress made implementing the strategic plan described in Subsection ~~[(1)]~~ (2) for inclusion
104 in the annual written report described in Section 35A-1-109.

105 ~~[(7)]~~ (8) The committee shall update the strategic plan described in Subsection ~~[(1)](a)]~~
106 (2) on an annual basis.

107 ~~[(8)]~~ (9) The state treasurer shall invest the money in the Pamela Atkinson Homeless
108 Account according to the procedures and requirements of Title 51, Chapter 7, State Money
109 Management Act, except that interest and other earnings derived from the restricted account
110 shall be deposited in the restricted account.

111 Section 2. Section 35A-8-604 is amended to read:

112 **35A-8-604. Uses of Homeless to Housing Reform Restricted Account.**

113 (1) With the concurrence of the division and in accordance with this section, the

114 Homeless Coordinating Committee members designated in Subsection 35A-8-601(2) may
115 award ongoing or one-time grants or contracts funded from the Homeless to Housing Reform
116 Restricted Account created in Section 35A-8-605.

117 (2) Before final approval of a grant or contract awarded under this section, the
118 Homeless Coordinating Committee and the division shall provide written information
119 regarding the grant or contract to, and shall consider the recommendations of, the Executive
120 Appropriations Committee.

121 (3) As a condition of receiving money, including any ongoing money, from the
122 restricted account, an entity awarded a grant or contract under this section shall provide
123 detailed and accurate reporting on at least an annual basis to the division and the Homeless
124 Coordinating Committee that describes:

- 125 (a) how money provided from the restricted account has been spent by the entity; and
- 126 (b) the progress towards measurable outcome-based benchmarks agreed to between the
127 entity and the Homeless Coordinating Committee before the awarding of the grant or contract.

128 (4) In determining the awarding of a grant or contract under this section, the Homeless
129 Coordinating Committee, with the concurrence of the division, shall:

- 130 (a) ensure that the services to be provided through the grant or contract will be
131 provided in a cost-effective manner;
- 132 (b) consider the advice of committee members designated in Subsection 35A-8-601(3);
- 133 (c) give priority to a project or contract that will include significant additional or
134 matching funds from a private organization, nonprofit organization, or local government entity;
- 135 (d) ensure that the project or contract will target the distinct housing needs of one or
136 more at-risk or homeless subpopulations, which may include:
 - 137 (i) families with children;
 - 138 (ii) transitional-aged youth;
 - 139 (iii) single men or single women;
 - 140 (iv) veterans;
 - 141 (v) victims of domestic violence;

142 (vi) individuals with behavioral health disorders, including mental health or substance
143 use disorders;

144 (vii) individuals who are medically frail or terminally ill;

145 (viii) individuals exiting prison or jail; or

146 (ix) individuals who are homeless without shelter;

147 (e) consider whether the project will address one or more of the following goals:

148 (i) diverting homeless or imminently homeless individuals and families from
149 emergency shelters by providing better housing-based solutions;

150 (ii) meeting the basic needs of homeless individuals and families in crisis;

151 (iii) providing homeless individuals and families with needed stabilization services;

152 (iv) decreasing the state's homeless rate;

153 (v) implementing a coordinated entry system with consistent assessment tools to
154 provide appropriate and timely access to services for homeless individuals and families;

155 (vi) providing access to caseworkers or other individualized support for homeless
156 individuals and families;

157 (vii) encouraging employment and increased financial stability for individuals and
158 families being diverted from or exiting homelessness;

159 (viii) creating additional affordable housing for state residents;

160 (ix) providing services and support to prevent homelessness among at-risk individuals
161 and adults;

162 (x) providing services and support to prevent homelessness among at-risk children,
163 adolescents, and young adults;

164 (xi) preventing the reoccurrence of homelessness among individuals and families
165 exiting homelessness; and

166 (xii) providing medical respite care for homeless individuals where the homeless
167 individuals can access medical care and other supportive services; and

168 (f) address the needs identified in the strategic plan described in Subsection

169 [35A-8-602](#)~~(1)(a)~~(2) for inclusion in the annual written report described in Section [35A-1-109](#).

170 (5) In addition to the other provisions of this section, in determining the awarding of a
171 grant or contract under this section to design, build, create, or renovate a facility that will
172 provide shelter or other resources for the homeless, the Homeless Coordinating Committee,
173 with the concurrence of the division, may consider whether the facility will be:

174 (a) located near mass transit services;

175 (b) located in an area that meets or will meet all zoning regulations before a final
176 dispersal of funds;

177 (c) safe and welcoming both for individuals using the facility and for members of the
178 surrounding community; and

179 (d) located in an area with access to employment, job training, and positive activities.

180 (6) In accordance with Subsection (5), and subject to the approval of the Homeless
181 Coordinating Committee with the concurrence of the division, the following may recommend a
182 site location, acquire a site location, and hold title to real property, buildings, fixtures, and
183 appurtenances of a facility that provides or will provide shelter or other resources for the
184 homeless:

185 (a) the county executive of a county of the first class on behalf of the county of the first
186 class, if the facility is or will be located in the county of the first class in a location other than
187 Salt Lake City;

188 (b) the state;

189 (c) a nonprofit entity approved by the Homeless Coordinating Committee with the
190 concurrence of the division; and

191 (d) a mayor of a municipality on behalf of the municipality where a facility is or will be
192 located.

193 (7) (a) As used in this Subsection (7) and in Subsection (8), "homeless shelter" means a
194 facility that:

195 (i) is located within a municipality; and

196 (ii) provides temporary shelter year-round to homeless individuals, including an
197 emergency shelter or medical respite facility.

198 (b) In addition to the other provisions of this section, the Homeless Coordinating
199 Committee, with the concurrence of the division, may award a grant or contract:

200 (i) to a municipality to improve sidewalks, pathways, or roadways near a homeless
201 shelter to provide greater safety to homeless individuals; and

202 (ii) to a municipality to hire one or more peace officers to provide greater safety to
203 homeless individuals.

204 (8) (a) If a homeless shelter commits to provide matching funds equal to the total grant
205 awarded under this Subsection (8), the Homeless Coordinating Committee, with the
206 concurrence of the division, may award a grant for the ongoing operations of the homeless
207 shelter.

208 (b) In awarding a grant under this Subsection (8), the Homeless Coordinating
209 Committee, with the concurrence of the division, shall consider the number of beds available at
210 the homeless shelter and the number and quality of the homeless services provided by the
211 homeless shelter.

212 (9) The division may expend money from the restricted account to offset actual
213 division and Homeless Coordinating Committee expenses related to administering this section.