



January 29, 2016

HOUSE BILL No. 1380

DIGEST OF HB 1380 (Updated January 27, 2016 10:38 am - DI 125)

Citations Affected: IC 5-20.

Synopsis: Indiana housing first program. Establishes the Indiana housing first program (program) to provide housing and support services for eligible homeless persons. Provides that the housing and community development authority (authority) shall administer the program. Requires the authority to establish, not later than January 1, 2017, policies and procedures to implement and administer the program. Provides that the policies and procedures must, among other requirements, include: (1) a plan for moving eligible homeless persons into housing directly from the streets or emergency shelter care without a precondition of accepting or complying with certain requirements; and (2) partnerships with private and public entities to provide support services and a continuum of care for program participants. Provides that in establishing the required policies and procedures, the authority may collaborate with or seek guidance from: (1) other appropriate state agencies; (2) officials in other states or municipalities that have implemented housing first programs; and (3) other specified public or private entities. Establishes the Indiana housing first account within the state general fund to provide funds to provide housing and support services to eligible homeless persons under the program. Allows the authority to adopt rules to establish the policies and procedures to implement and administer the program.

Effective: Upon passage.

**Harris D, Kirchhofer, Bartlett,
Frizzell**

January 13, 2016, read first time and referred to Committee on Family, Children and Human Affairs.

January 28, 2016, reported — Do Pass. Referred to Committee on Ways and Means pursuant to Rule 127.

HB 1380—LS 6948/DI 101



January 29, 2016

Second Regular Session of the 119th General Assembly (2016)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2015 Regular Session of the General Assembly.

HOUSE BILL No. 1380

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 5-20-9 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON
3 PASSAGE]:
4 **Chapter 9. Indiana Housing First Program**
5 **Sec. 1. As used in this chapter, "account" refers to the Indiana**
6 **housing first account established by section 6 of this chapter.**
7 **Sec. 2. As used in this chapter, "authority" refers to the Indiana**
8 **housing and community development authority created by**
9 **IC 5-20-1-3.**
10 **Sec. 3. As used in this chapter, "eligible homeless person"**
11 **means:**
12 **(1) an individual who qualifies as homeless or chronically**
13 **homeless; or**
14 **(2) a family that qualifies as homeless or chronically**
15 **homeless;**
16 **under 24 CFR 91.5.**
17 **Sec. 4. As used in this chapter, "program" refers to the Indiana**

HB 1380—LS 6948/DI 101



1 housing first program established by section 5 of this chapter.

2 **Sec. 5. (a) The Indiana housing first program is established to**
 3 **provide housing and support services for eligible homeless persons.**
 4 **The program shall be administered by the authority. Not later than**
 5 **January 1, 2017, the authority shall establish policies and**
 6 **procedures to implement and administer the program. The policies**
 7 **and procedures established by the authority under this section**
 8 **must ensure that the program does the following:**

9 **(1) Includes a plan for moving eligible homeless persons into**
 10 **housing directly from the streets or emergency shelter care**
 11 **without a precondition of accepting or complying with:**

12 **(A) employment or job training requirements;**

13 **(B) substance abuse or addiction treatment requirements;**

14 **(C) educational requirements; or**

15 **(D) other requirements concerning life skills or mental or**
 16 **physical health.**

17 **(2) Provides program participants with support services,**
 18 **including:**

19 **(A) employment assistance and job training;**

20 **(B) substance abuse and addiction treatment;**

21 **(C) educational assistance;**

22 **(D) life skills assistance; and**

23 **(E) treatment for, and the management of, mental and**
 24 **physical health problems;**

25 **that are predicated on assertive engagement rather than**
 26 **coercion. Support services described in clause (B) must be**
 27 **predicated on a harm reduction approach to addiction, rather**
 28 **than mandating abstinence, while supporting a program**
 29 **participant's commitment to recovery.**

30 **(3) Grants eligible homeless persons who qualify as**
 31 **chronically homeless under 24 CFR 91.5 priority as**
 32 **participants in the program.**

33 **(4) Provides program participants with leases and tenant**
 34 **protections as provided by law.**

35 **(5) Establishes annual goals to reduce homelessness and**
 36 **chronic homelessness:**

37 **(A) in Indiana as a whole; and**

38 **(B) in particular regions, communities, and metropolitan**
 39 **statistical areas within Indiana;**

40 **through the program and support services provided under the**
 41 **program. The goals required by this subdivision must be**
 42 **based on the number of homeless persons determined under**



1 the annual United States Department of Housing and Urban
 2 Development point-in-time count (as defined in 24 CFR
 3 578.3).

4 (6) Includes partnerships with public entities and private
 5 entities, including any of the following, to provide support
 6 services and a continuum of care for program participants:

7 (A) Nonprofit or faith based organizations providing
 8 services to homeless individuals and families.

9 (B) Units of local government.

10 (C) School corporations and schools.

11 (D) Businesses.

12 (E) Public housing agencies.

13 (F) Social service providers.

14 (G) Mental health providers.

15 (H) Hospitals.

16 (I) Affordable housing developers and providers.

17 (J) Law enforcement agencies and correctional facilities.

18 (K) Organizations serving homeless veterans.

19 (L) Organizations serving victims of domestic violence.

20 (M) Universities.

21 (N) Other public or private entities that the authority
 22 considers appropriate to partner with to accomplish the
 23 purposes of the program.

24 (b) In establishing the policies and procedures required by this
 25 section, the authority may collaborate with or seek guidance from:

26 (1) other appropriate state agencies, including the department
 27 of correction, the state department of health, and the office of
 28 the secretary of family and social services (and the
 29 appropriate divisions within the office of the secretary of
 30 family and social services);

31 (2) officials in other states or municipalities that have
 32 implemented housing first programs or other similar
 33 programs; and

34 (3) any of the entities listed in subsection (a)(6).

35 Sec. 6. (a) The Indiana housing first account is established
 36 within the state general fund to provide funds to provide housing
 37 and support services to eligible homeless persons under the
 38 program. The account shall be administered by the authority.

39 (b) The account consists of the following:

40 (1) Money appropriated to the account by the general
 41 assembly.

42 (2) Investment earnings, including interest, on money in the



- 1 **account.**
2 **(3) Money from any other source, including gifts, grants,**
3 **donations, and other funds from government programs,**
4 **foundations, corporations, or any other public or private**
5 **sources.**
6 **(c) Money in the account is continuously appropriated for the**
7 **purposes of this chapter.**
8 **(d) The expenses of administering the account shall be paid from**
9 **money in the account.**
10 **(e) The treasurer of state shall invest the money in the account**
11 **not currently needed to meet the obligations of the account in the**
12 **same manner as other public money may be invested.**
13 **(f) Money that is in the account at the end of a state fiscal year**
14 **does not revert to the state general fund.**
15 **Sec. 7. (a) The authority may adopt rules under IC 4-22-2,**
16 **including emergency rules adopted in the manner provided by**
17 **IC 4-22-2-37.1, to establish the policies and procedures required**
18 **under section 5 of this chapter and to otherwise implement this**
19 **chapter. Rules or emergency rules adopted by the authority under**
20 **this section must take effect not later than January 1, 2017.**
21 **(b) Notwithstanding IC 4-22-2-37.1(g), an emergency rule**
22 **adopted by the authority in the manner provided by IC 4-22-2-37.1**
23 **to establish the policies and procedures required under section 5 of**
24 **this chapter and to otherwise implement this chapter expires on the**
25 **date a rule that supersedes the emergency rule is adopted by the**
26 **authority under IC 4-22-2-24 through IC 4-22-2-36.**
27 **SECTION 2. An emergency is declared for this act.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Family, Children and Human Affairs, to which was referred House Bill 1380, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1380 as introduced.)

FRIZZELL

Committee Vote: Yeas 10, Nays 0

