

SENATE BILL 920

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6lr3566
CF 6lr1728

By: **Senator Pugh**

Introduced and read first time: February 5, 2016

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Human Services – Homelessness – Emergency Cold Weather Planning**

3 FOR the purpose of establishing an emergency cold weather council in each county;
4 establishing the membership and chair of emergency cold weather councils;
5 requiring emergency cold weather councils to create certain plans; requiring a plan
6 to include certain elements; requiring local administering agencies to provide a
7 certain plan to the Department of Human Resources on or before a certain date each
8 year; requiring the Maryland Emergency Management Agency to report certain
9 information to local administering agencies under certain conditions; requiring local
10 administering agencies to initiate certain plans under certain conditions; requiring
11 certain agencies to collaborate to create a reporting system for cold weather deaths
12 of people experiencing homelessness; defining certain terms; and generally relating
13 to cold weather planning for people experiencing homelessness.

14 BY adding to

15 Article – Human Services

16 Section 6–441 through 6–447 to be under the new part “Part V. Emergency Cold
17 Weather Planning”

18 Annotated Code of Maryland

19 (2007 Volume and 2015 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
21 That the Laws of Maryland read as follows:

22 **Article – Human Services**

23 **6–439. RESERVED.**

24 **6–440. RESERVED.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **PART V. EMERGENCY COLD WEATHER PLANNING.**

2 **6-441.**

3 **(A) IN THIS PART THE FOLLOWING WORDS HAVE THE MEANINGS**
4 **INDICATED.**

5 **(B) “CONTINUUM OF CARE” MEANS A REGIONAL OR LOCAL PLANNING BODY**
6 **THAT COORDINATES HOUSING AND SERVICES FUNDING FOR FAMILIES AND**
7 **INDIVIDUALS EXPERIENCING HOMELESSNESS.**

8 **(C) “GOVERNING BODY” MEANS:**

9 **(1) FOR BALTIMORE CITY, THE MAYOR AND CITY COUNCIL OF**
10 **BALTIMORE CITY;**

11 **(2) FOR A CHARTER COUNTY:**

12 **(I) THAT DOES NOT HAVE AN ELECTED CHIEF EXECUTIVE**
13 **OFFICER, THE COUNTY COUNCIL; OR**

14 **(II) THAT HAS AN ELECTED CHIEF EXECUTIVE OFFICER, THE**
15 **COUNTY COUNCIL OR THE COUNTY COUNCIL AND THE COUNTY EXECUTIVE, AS**
16 **PROVIDED BY THE COUNTY CHARTER;**

17 **(3) FOR A CODE COUNTY, THE COUNTY COMMISSIONERS; AND**

18 **(4) FOR A COMMISSION COUNTY, THE COUNTY COMMISSIONERS.**

19 **(D) “LOCAL ADMINISTERING AGENCY” MEANS THE AGENCY DESIGNATED BY**
20 **THE DEPARTMENT OR A COUNTY TO MANAGE THE HOMELESS SERVICES PROGRAM**
21 **FUNDED BY THE DEPARTMENT IN A COUNTY, AND TO PROVIDE SERVICES DIRECTLY**
22 **OR BY CONTRACT WITH A SERVICE PROVIDER.**

23 **(E) “WIND CHILL TEMPERATURE” MEANS THE APPARENT TEMPERATURE**
24 **AS MEASURED BY THE NATIONAL WEATHER SERVICE USING AIR TEMPERATURE**
25 **AND WIND SPEED.**

26 **6-442.**

27 **THERE IS AN EMERGENCY COLD WEATHER COUNCIL IN EACH COUNTY.**

28 **6-443.**

1 AN EMERGENCY COLD WEATHER COUNCIL CONSISTS OF THE FOLLOWING
2 MEMBERS:

3 (1) A REPRESENTATIVE OF THE LOCAL ADMINISTERING AGENCY;

4 (2) A REPRESENTATIVE OF THE CONTINUUM OF CARE;

5 (3) A REPRESENTATIVE OF THE LOCAL DEPARTMENT OF SOCIAL
6 SERVICES;

7 (4) A REPRESENTATIVE OF THE LOCAL ORGANIZATION FOR
8 EMERGENCY MANAGEMENT;

9 (5) A REPRESENTATIVE OF THE LOCAL HEALTH DEPARTMENT; AND

10 (6) A REPRESENTATIVE OF THE GOVERNING BODY OF THE COUNTY.

11 **6-444.**

12 THE REPRESENTATIVE OF THE LOCAL ADMINISTERING AGENCY SHALL CHAIR
13 THE EMERGENCY COLD WEATHER COUNCIL IN A COUNTY.

14 **6-445.**

15 (A) (1) THE EMERGENCY COLD WEATHER COUNCIL SHALL WORK IN
16 CONSULTATION WITH LOCAL PROVIDERS, AND WITH GUIDANCE FROM THE
17 DEPARTMENT, TO DEVELOP AN EMERGENCY COLD WEATHER PLAN.

18 (2) THE EMERGENCY COLD WEATHER PLAN SHALL INCLUDE:

19 (I) A PLAN TO IDENTIFY, TRANSPORT, AND SHELTER PEOPLE
20 EXPERIENCING HOMELESSNESS IN THE COUNTY;

21 (II) AGENCY COMMUNICATION;

22 (III) THE ROLES AND RESPONSIBILITIES OF AGENCIES AND
23 PROVIDERS;

24 (IV) A FUNDING PLAN, INCLUDING:

25 1. BUDGETED COSTS; AND

1 **2. FEDERAL, STATE, AND LOCAL SOURCES OF FUNDING;**

2 **(V) A SYSTEM FOR EVALUATING THE IMPLEMENTATION OF THE**
3 **PLAN; AND**

4 **(VI) IDENTIFICATION OF GAPS IN SERVICES AND FUNDING.**

5 **(B) ON OR BEFORE OCTOBER 1 EACH YEAR, THE LOCAL ADMINISTERING**
6 **AGENCY IN EACH COUNTY SHALL SUBMIT THE EMERGENCY COLD WEATHER PLAN**
7 **DEVELOPED BY THE EMERGENCY COLD WEATHER COUNCIL TO THE DEPARTMENT.**

8 **6-446.**

9 **(A) A LOCAL ADMINISTERING AGENCY SHALL INITIATE THE EMERGENCY**
10 **COLD WEATHER PLAN IF THE WIND CHILL TEMPERATURE IS AT OR BELOW 32**
11 **DEGREES FAHRENHEIT IN THAT COUNTY.**

12 **(B) THE MARYLAND EMERGENCY MANAGEMENT AGENCY SHALL REPORT**
13 **TO A LOCAL ADMINISTERING AGENCY IF THE WIND CHILL TEMPERATURE IS AT OR**
14 **BELOW 32 DEGREES FAHRENHEIT IN THE COUNTY SERVED BY THE LOCAL**
15 **ADMINISTERING AGENCY.**

16 **6-447.**

17 **THE OFFICE OF THE CHIEF MEDICAL EXAMINER, THE DEPARTMENT OF**
18 **HEALTH AND MENTAL HYGIENE, AND THE DEPARTMENT OF HUMAN RESOURCES**
19 **SHALL COLLABORATE TO CREATE A REPORTING SYSTEM FOR COLD WEATHER**
20 **DEATHS OF PEOPLE EXPERIENCING HOMELESSNESS.**

21 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
22 **October 1, 2016.**