

SECOND REGULAR SESSION

HOUSE BILL NO. 2614

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DEGROOT.

5448H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 67, RSMo, by adding thereto one new section relating to funding for housing programs, with a delayed effective date and penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 67, RSMo, is amended by adding thereto one new section, to be known as section 67.2300, to read as follows:

67.2300. 1. Any construction of short-term housing for the homeless that is funded using state funds shall comply with the following requirements:

(1) For parking areas, each area shall provide:

(a) Access to basic utilities sufficient to serve all of the parking areas, including water and electricity outlets; and

(b) Access to bathrooms sufficient to serve all of the parking areas;

(2) For camping facilities, individuals experiencing homelessness may camp and store personal property at such facilities, which shall be subject to the following:

(a) Individuals shall only camp and store personal property at such facilities in the areas designated to each individual by the agency providing the camping facilities; and

(b) Individuals shall complete a mental health and substance use evaluation as designated by a state or local agency;

(3) For individual shelters, which shall be subject to the following:

(a) Be suitable to house between one and three individuals;

(b) Provide basic sleeping accommodations and access to electricity;

(c) Provide adequate access to showers and bathroom facilities; and

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 (d) Be limited to occupation by each individual for a period of six months; and
19 (4) For congregate shelters housing more than four homeless individuals in one
20 space, projects for shelters shall be eligible for state funds only to the extent the shelter
21 monitors and provides programs to improve the employment, income, and prevention of
22 return to homelessness of individuals leaving those shelters. The department of
23 economic development shall provide bonuses of up to ten percent for such programs
24 that meet guidelines as established by the department.

25 2. A person that owns, operates, manages, or otherwise controls a camping
26 facility under this section is immune from liability for all civil claims, excluding claims
27 involving the person's intentional or grossly negligent conduct, arising out of the
28 ownership, operation, management, or other control of such facility and such camping
29 facilities shall not be subject to otherwise applicable building codes or ordinances of a
30 political subdivision.

31 3. (1) Each political subdivision or not-for-profit organization in an area with
32 above average per-capita homelessness, as determined by the most recent count for the
33 federal government on homelessness and the most recent United States census report on
34 population receiving state funding for homelessness services, shall survey homeless
35 individuals living within the area in which the agency operates, including such
36 individuals in local hospitals, jails, and other shelter systems, to calculate the combined
37 days that such homeless individuals spend:

- 38 (a) Unhoused or in shelters in the year preceding the survey date;
39 (b) In any state or federal correctional facility in the year preceding the survey
40 date; and
41 (c) Hospitalized in the year preceding the survey date.

42 (2) State and local agencies shall have access to the information of public
43 hospitals, jails, and shelters in order to complete such surveys pursuant to this
44 subsection.

45 (3) Each political subdivision or not-for-profit organization in an area with
46 above average per-capita homelessness shall identify individuals with the greatest
47 number of combined days as determined pursuant to this subsection and shall use state
48 funds otherwise used for the construction of permanent housing for the homeless to
49 assist such individuals with substance use, mental health treatment, and other services
50 including short-term housing. The department shall provide up to twenty-five percent
51 bonuses to political subdivisions or not-for-profit organizations according to the base
52 allocation for reduction of combined days as determined pursuant to this subsection,
53 with the days weighted by the department.

54 **(4) Political subdivisions and not-for-profit organizations may use state grants**
55 **otherwisely used for permanent housing to conduct the surveys pursuant to this**
56 **subsection but these expenses shall not exceed ten percent of the total grant amount.**

57 **4. No person shall be permitted to use state-owned lands for unauthorized**
58 **sleeping, camping, or long-term shelters. Any violation of this subsection is a class C**
59 **misdemeanor.**

60 **5. No state funds shall be allocated to any political subdivision or not-for-profit**
61 **organization for the construction of any short-term housing that costs more than fifty-**
62 **five thousand dollars per bed to construct, excluding the price of land, or that costs**
63 **more than twenty thousand dollars a year to maintain at a basic level of habitability. No**
64 **homelessness assistance funding shall be allocated to any political subdivision or not-for-**
65 **profit organization in any city that shows an increase in unsheltered homeless**
66 **individuals of at least fifty individuals for two consecutive years and which refuses to**
67 **enforce laws prohibiting unauthorized camping.**

68 **6. A political subdivision may allocate up to twenty-five percent of the funds it**
69 **receives from the state through grants for public safety to the creation of homeless**
70 **outreach teams. These teams shall:**

71 **(1) Be composed of both police officers and social service professionals;**

72 **(2) Work to move individuals camping and sleeping in public or private places**
73 **not fit for human habitation into homeless services; and**

74 **(3) Enforce all ordinances against street camping and sleeping in public, and**
75 **these teams shall have a preference toward moving homeless individuals into drug or**
76 **other adult treatment courts as defined in section 478.001 whenever possible.**

77 **7. Any political subdivision with a higher per-capita rate of homelessness than**
78 **the state average that refuses to enforce ordinances prohibiting unauthorized camping,**
79 **sleeping, or obstructing a public sidewalk or right-of-way shall, within one year of the**
80 **passage of this act, receive no further state funding through grants awarded for public**
81 **safety until the department of social services determines:**

82 **(1) The political subdivision has a per-capita rate of unsheltered homeless**
83 **individuals at or below the state average; or**

84 **(2) The political subdivision enforces ordinances prohibiting unauthorized**
85 **camping, sleeping, or obstructing a public sidewalk or right-of-way.**

86 **8. The department of economic development shall promulgate all rules and**
87 **regulations to implement the provisions of this section. Any rule or portion of a rule, as**
88 **that term is defined in section 536.010, that is created under the authority delegated in**
89 **this section shall become effective only if it complies with and is subject to all of the**
90 **provisions of chapter 536 and, if applicable, section 536.028. This section and chapter**

91 **536 are nonseverable and if any of the powers vested with the general assembly**
92 **pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul**
93 **a rule are subsequently held unconstitutional, then the grant of rulemaking authority**
94 **and any rule proposed or adopted after January 1, 2023, shall be invalid and void.**

Section B. The enactment of section 67.2300 of this act shall become effective on
2 January 1, 2023.

✓