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HOMELESS SERVICES FUNDING AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Mark A. Strong

Senate Sponsor: Don L. Ipson

LONG TITLE

General Description:

This bill authorizes the Utah Homeless Network Steering Committee to develop a funding formula.

Highlighted Provisions:

This bill:

- requires the Utah Homeless Network Steering Committee to develop a funding formula for the provision of homeless services;
- describes the criteria the Utah Homeless Network Steering Committee shall use in developing a funding formula for the provision of homeless services;
- requires the Utah Homelessness Council to approve any funding formula developed by the Utah Homeless Network Steering Committee by a two-thirds vote;
- requires the state homelessness coordinator to utilize an approved funding formula in disbursing funds for the provision of homeless services; and
- makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

- 35A-16-202**, as enacted by Laws of Utah 2021, Chapter 281
- 35A-16-203**, as last amended by Laws of Utah 2023, Chapter 302
- 35A-16-205**, as last amended by Laws of Utah 2022, Chapter 403
- 35A-16-207**, as enacted by Laws of Utah 2022, Chapter 403

28 ENACTS:

29 **35A-16-208**, Utah Code Annotated 1953

30

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

32 Section 1. Section **35A-16-202** is amended to read:

33 **35A-16-202 . Powers and duties of the office.**

34 (1) The office shall, under the direction of the coordinator:

35 (a) assist in providing homeless services in the state;

36 (b) coordinate the provision of homeless services in the state; [~~and~~]

37 (c) manage, with the concurrence of Continuum of Care organizations approved by the
38 United States Department of Housing and Urban Development, a Homeless
39 Management Information System for the state that:

40 (i) shares client-level data between state agencies, local governments, and private
41 organizations that provide services to homeless individuals and families and
42 individuals at risk of homelessness in the state;

43 (ii) is effective as a case management system;

44 (iii) except for individuals receiving services who are victims of domestic violence,
45 includes an effective authorization protocol for encouraging individuals who are
46 provided with any homeless services in the state to provide accurate information
47 to providers for inclusion in the HMIS; and

48 (iv) meets the requirements of the United States Department of Housing and Urban
49 Development and other federal requirements[-] ; and

50 (d) provide support to the steering committee in developing the formula described in
51 Section 35A-16-208.

52 (2) The office may:

53 (a) by following the procedures and requirements of Title 63J, Chapter 5, Federal Funds
54 Procedures Act, seek federal grants, loans, or participation in federal programs; and

55 (b) for any federal program that requires the expenditure of state funds as a condition for
56 participation by the state in a fund, property, or service, with the governor's approval,
57 expend whatever funds are necessary out of the money provided by the Legislature
58 for the use of the office.

59 Section 2. Section **35A-16-203** is amended to read:

60 **35A-16-203 . Powers and duties of the coordinator.**

61 (1) The coordinator shall:

- 62 (a) coordinate the provision of homeless services in the state;
- 63 (b) in cooperation with the homelessness council, develop and maintain a
- 64 comprehensive annual budget and overview of all homeless services available in the
- 65 state, which homeless services budget shall receive final approval by the
- 66 homelessness council;
- 67 (c) in cooperation with the homelessness council, create a statewide strategic plan to
- 68 minimize homelessness in the state, which strategic plan shall receive final approval
- 69 by the homelessness council;
- 70 (d) in cooperation with the homelessness council, oversee funding provided for the
- 71 provision of homeless services, which funding shall receive final approval by the
- 72 homelessness council, including funding from the:
- 73 (i) Pamela Atkinson Homeless Account created in Section 35A-16-301;
- 74 (ii) Homeless to Housing Reform Restricted Account created in Section 35A-16-303;
- 75 and
- 76 (iii) Homeless Shelter Cities Mitigation Restricted Account created in Section
- 77 35A-16-402;
- 78 (e) provide administrative support to and serve as a member of the homelessness council;
- 79 (f) at the governor's request, report directly to the governor on issues regarding
- 80 homelessness in the state and the provision of homeless services in the state; and
- 81 (g) report directly to the president of the Senate and the speaker of the House of
- 82 Representatives at least twice each year on issues regarding homelessness in the state
- 83 and the provision of homeless services in the state.
- 84 (2) The coordinator, in cooperation with the homelessness council, shall ensure that the
- 85 homeless services budget described in Subsection (1)(b) includes an overview and
- 86 coordination plan for all funding sources for homeless services in the state, including
- 87 from state agencies, Continuum of Care organizations, housing authorities, local
- 88 governments, federal sources, and private organizations.
- 89 (3) The coordinator, in cooperation with the homelessness council, shall ensure that the
- 90 strategic plan described in Subsection (1)(c):
- 91 (a) outlines specific goals and measurable benchmarks for minimizing homelessness in
- 92 the state and for coordinating services for individuals experiencing homelessness
- 93 among all service providers in the state;
- 94 (b) identifies best practices and recommends improvements to the provision of services
- 95 to individuals experiencing homelessness in the state to ensure the services are

- 96 provided in a safe, cost-effective, and efficient manner;
- 97 (c) identifies best practices and recommends improvements in coordinating the delivery
98 of services to the variety of populations experiencing homelessness in the state,
99 including through the use of electronic databases and improved data sharing among
100 all service providers in the state; and
- 101 (d) identifies gaps and recommends solutions in the delivery of services to the variety of
102 populations experiencing homelessness in the state.
- 103 (4) In overseeing funding for the provision of homeless services as described in Subsection
104 (1)(d), the coordinator:
- 105 (a) shall prioritize the funding of programs and providers that have a documented history
106 of successfully reducing the number of individuals experiencing homelessness,
107 reducing the time individuals spend experiencing homelessness, moving individuals
108 experiencing homelessness to permanent housing, or reducing the number of
109 individuals who return to experiencing homelessness; ~~and~~
- 110 (b) except for a program or provider providing services to victims of domestic violence,
111 may not approve funding to a program or provider that does not enter into a written
112 agreement with the office to collect and share HMIS data regarding the provision of
113 services to individuals experiencing homelessness so that the provision of services
114 can be coordinated among state agencies, local governments, and private
115 organizations[-] ; and
- 116 (c) if the homelessness council has approved a funding formula developed by the
117 steering committee, as described in Section 35A-16-205:
- 118 (i) except as provided in Subsection (4)(c)(ii), shall utilize that funding formula in
119 disbursing funds for the provision of homeless services; and
- 120 (ii) shall ensure that any federal funds not subject to the funding formula are
121 disbursed in accordance with any applicable federal requirements.
- 122 (5) In cooperation with the homelessness council, the coordinator shall update the annual
123 statewide budget and the strategic plan described in this section on an annual basis.
- 124 (6) (a) On or before October 1, the coordinator shall provide a written report to the
125 department for inclusion in the department's annual written report described in
126 Section 35A-1-109.
- 127 (b) The written report shall include:
- 128 (i) the homeless services budget;
- 129 (ii) the strategic plan;

- 130 (iii) recommendations regarding improvements to coordinating and providing
- 131 services to individuals experiencing homelessness in the state; and
- 132 (iv) in coordination with the homelessness council, a complete accounting of the
- 133 office's disbursement of funds during the previous fiscal year from:
- 134 (A) the Pamela Atkinson Homeless Account created in Section 35A-16-301;
- 135 (B) the Homeless to Housing Reform Restricted Account created in Section
- 136 35A-16-303;
- 137 (C) the Homeless Shelter Cities Mitigation Restricted Account created in Section
- 138 35A-16-402;
- 139 (D) the COVID-19 Homeless Housing and Services Grant Program created in
- 140 Section 35A-16-602; and
- 141 (E) any other grant program created in statute that is administered by the office.

142 Section 3. Section **35A-16-205** is amended to read:

143 **35A-16-205 . Duties of the homelessness council.**

144 (1) The homelessness council:

145 ~~[(1)]~~ (a) shall provide final approval for:

146 ~~[(a)]~~ (i) a funding formula developed by the steering committee under Section

147 35A-16-208;

148 (ii) the homeless services budget;

149 ~~[(b)]~~ (iii) the strategic plan; and

150 ~~[(c)]~~ (iv) the awarding of funding for the provision of homeless services as described

151 in Subsection 35A-16-203(1)(d);

152 ~~[(2)]~~ (b) in cooperation with the coordinator, shall:

153 ~~[(a)]~~ (i) develop and maintain the homeless services budget;

154 ~~[(b)]~~ (ii) develop and maintain the strategic plan; and

155 ~~[(c)]~~ (iii) review applications and approve funding for the provision of homeless

156 services in the state as described in Subsection 35A-16-203(1)(d);

157 ~~[(3)]~~ (c) shall review local and regional plans for providing services to individuals

158 experiencing homelessness;

159 ~~[(4)]~~ (d) shall cooperate with local homeless councils to:

160 ~~[(a)]~~ (i) develop a common agenda and vision for reducing homelessness in each local

161 oversight body's respective region;

162 ~~[(b)]~~ (ii) as part of the homeless services budget, develop a spending plan that

163 coordinates the funding supplied to local stakeholders; and

164 ~~[(e)]~~ (iii) align local funding to projects that improve outcomes and target specific
 165 needs in each community;

166 ~~[(5)]~~ (e) shall coordinate gap funding with private entities for providing services to
 167 individuals experiencing homelessness;

168 ~~[(6)]~~ (f) shall recommend performance and accountability measures for service providers,
 169 including the support of collecting consistent and transparent data; and

170 ~~[(7)]~~ (g) when reviewing and giving final approval for requests as described in
 171 Subsection 35A-16-203(1)(d):

172 ~~[(a)]~~ (i) may only recommend funding if the proposed recipient has a policy to share
 173 client-level service information with other entities in accordance with state and
 174 federal law to enhance the coordination of services for individuals who are
 175 experiencing homelessness; and

176 ~~[(b)]~~ (ii) shall identify specific targets and benchmarks that align with the strategic
 177 plan for each recommended award.

178 ~~(2)~~ (a) In approving a funding formula, as described in Subsection (1)(a)(i), the
 179 homelessness council shall take action on a proposed funding formula by a two-thirds
 180 vote.

181 ~~(b)~~ If the homelessness council cannot approve a proposed funding formula, the
 182 homelessness council shall refer the proposed funding formula back to the steering
 183 committee for further consideration.

184 Section 4. Section **35A-16-207** is amended to read:

185 **35A-16-207 . Duties of the steering committee.**

186 ~~(1)~~ The steering committee shall:

187 ~~[(1)]~~ (a) support connections across continuums of care, local homeless councils, and
 188 state and local governments;

189 ~~[(2)]~~ (b) coordinate statewide emergency and crisis response in relation to services for
 190 individuals experiencing homelessness;

191 ~~[(3)]~~ (c) provide training to providers of services for individuals experiencing
 192 homelessness, stakeholders, and policymakers;

193 ~~[(4)]~~ (d) educate the general public and other interested persons regarding the needs,
 194 challenges, and opportunities for individuals experiencing homelessness; and

195 ~~[(5)]~~ (e) make recommendations to the homelessness council regarding the awarding of
 196 funding for the provision of homeless services as described in Subsection 35A-16-203
 197 (1)(d).

198 (2) The steering committee shall, in consultation with members of the homelessness
199 council, the office, members of local homelessness councils, and the coordinator,
200 develop a funding formula as described in Section 35A-16-208.

201 Section 5. Section **35A-16-208** is enacted to read:

202 **35A-16-208 . Funding formula.**

203 (1) The steering committee shall develop a formula for the distribution of funds for the
204 provision of homeless services.

205 (2) A formula for the distribution of funds for the provision of homeless services shall:

206 (a) take into consideration:

207 (i) the various needs of regions of the state;

208 (ii) metrics and evidence of success;

209 (iii) the goals outlined in the strategic plan; and

210 (iv) any other factor the steering committee considers necessary; and

211 (b) utilize objective metrics to ensure, as much as possible, an impartial result.

212 (3) A funding formula described in this section applies to federal funds received by the
213 office for the provision of homeless services only insofar as any federal regulations
214 governing those federal funds allow.

215 Section 6. **Effective date.**

216 This bill takes effect on May 1, 2024.