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HEALTH AND SAFETY CODE - HSC

DIVISION 31. HOUSING AND HOME FINANCE [50000 - 54913] (*Division 31 repealed and added by Stats. 1977, Ch. 610.*)

PART 1. STATE HOUSING POLICY AND GENERAL PROVISIONS [50000 - 50300] (*Part 1 added by Stats. 1977, Ch. 610.*)

CHAPTER 7. Encampment Resolution Funding Program [50250 - 50254.5] (*Chapter 7 added by Stats. 2021, Ch. 111, Sec. 13.*)

50250. For purposes of this chapter, the following definitions shall apply:

- (a) "Additional funding round moneys" means moneys appropriated for the program in or after fiscal year 2022–23.
- (b) "Agency" means the Business, Consumer Services, and Housing Agency.
- (c) "Applicant" means a continuum of care or local jurisdiction
- (d) "Continuum of care" has the same meaning as in Section 578.3 of Title 24 of the Code of Federal Regulations.
- (e) (1) Subject to paragraph (2), "council," unless context requires otherwise, means the California Interagency Council on Homelessness, previously known as the Homeless Coordinating and Financing Council created pursuant to Section 8257 of the Welfare and Institutions Code.
(2) Unless context requires otherwise, "council," with respect to the administration of this chapter on or after the effective date of the act adding this paragraph, means the department.
- (f) "County" includes, but is not limited to, a city and county.
- (g) "Department" means the Department of Housing and Community Development.
- (h) "Funding round 1 moneys" means moneys appropriated for the program in fiscal year 2021–22.
- (i) "Homeless" has the same meaning as in Section 578.3 of Title 24 of the Code of Federal Regulations.
- (j) "Local jurisdiction" means a city, including a charter city, a county, including a charter county, or a city and county, including a charter city and county.
- (k) "Program" means the Encampment Resolution Funding program established pursuant to this chapter.
- (l) "Recipient" means an applicant that receives grant funds from the council for the purposes of the program.
- (m) "State right-of-way" means real property held in title by the State of California.

(Amended by Stats. 2024, Ch. 48, Sec. 14. (AB 166) Effective July 2, 2024.)

50251. (a) The Encampment Resolution Funding program is hereby established to, upon appropriation by the Legislature, increase collaboration between the council, local jurisdictions, and continuums of care for the following purposes:

- (1) Assist local jurisdictions in ensuring the safety and wellness of people experiencing homelessness in encampments.
 - (2) Provide encampment resolution grants to local jurisdictions and continuums of care to resolve critical encampment concerns and transition individuals into safe and stable housing.
 - (3) Encourage a data-informed, coordinated approach to address encampment concerns.
- (b) (1) The council shall administer the program.
- (2) Notwithstanding paragraph (1), the council may consult with and designate a state agency or department to support the administration of the program.

(c) (1) The council's decision to approve or deny an application and the determination of the amount of funding to be provided shall be final and not subject to appeal.

(2) In determining which applications to approve, the council shall evaluate and score proposals based on all of the following criteria:

(A) The applicant's capacity to carry out the proposal.

(B) Whether the site selected for services aligns with the proposed service delivery model.

(C) Whether the demographics and needs of service recipients align with the proposed service delivery model.

(D) The applicant's ability to develop a detailed service delivery plan, including a description of how individuals will be served with permanent housing solutions.

(E) The applicant's ability to coordinate with other systems to increase services and housing options.

(F) The applicant's capacity to involve people with lived experience and local community partners in the implementation of its project.

(G) The applicant's ability to recruit and deploy personnel with experience and expertise needed to support the success of their proposal.

(H) The applicant's ability to demonstrate a prudent and effective use of requested funding relative to the number of people it seeks to serve and the types of services to be provided in the proposal.

(d) The council shall maintain records of the following:

(1) The number of applications for program grants received by the council.

(2) The number of applications for program grants denied by the council.

(3) The name of each recipient of a program grant.

(4) The amount of funds allocated to each applicant.

(e) The council may adopt regulations to implement this chapter. The adoption, amendment, or repeal of a regulation authorized by this subdivision is hereby exempted from the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).

(Amended by Stats. 2022, Ch. 70, Sec. 4. (SB 197) Effective June 30, 2022.)

50252. (a) The council shall distribute funding round 1 moneys in accordance with this chapter.

(b) Except as specified in subdivision (e), the council shall award the moneys appropriated as competitive grants to applicants to be used to support encampment resolution and rehousing efforts for local jurisdictions. Council staff shall develop and disseminate encampment resolution strategies, case studies, and learnings to local jurisdictions.

(c) Applicants may submit an application for a program grant to the council in a form and manner specified by the council. The application shall include, at a minimum, all of the following:

(1) Information on the number and demographics of the individuals living in the encampment that the applicant is requesting funding to help resolve.

(2) A description of why this specific encampment is being prioritized for resolution support.

(3) A description of how the applicant intends to collaborate with state and local partners to mitigate risk and address safety concerns, while ensuring a pathway for individuals living in encampments to move into safe and stable housing.

(4) A description of how the applicant intends to use these funds to connect all individuals living in the encampment to services and housing.

(5) A description of other local resources and funding streams that will be used to ensure the ongoing availability of services and housing support for people who are moved out of encampments into permanent housing.

(d) When determining grant awards, funding shall be prioritized for:

(1) Jurisdictions that can demonstrate a commitment to cross-systems collaboration and innovative efforts to resolve encampment issues, while focusing on protecting the health and well-being of the individuals living in those encampments.

(2) Jurisdictions that have 50 or more individuals living in the encampment that they are seeking to support with these funds.

(3) The intent of the council is to award grants, to the extent feasible, to a range of applicants that represent the diversity of communities across the state, including rural, urban, and suburban communities.

(e) Of the moneys available pursuant to subdivision (a), the council may expend up to 5 percent for administration of the program.

(f) This section only applies to funding round 1 moneys and does not apply to additional funding round moneys.

(Amended by Stats. 2022, Ch. 70, Sec. 5. (SB 197) Effective June 30, 2022.)

50252.1. (a) This section only applies to additional funding round moneys and does not apply to funding round 1 moneys.

(b) The council shall award additional funding round moneys first to fund projects from prior funding rounds that the council determined satisfied applicable program requirements but were not funded in the prior round.

(c) (1) Any funds remaining after the awards required by subdivision (b) shall be awarded on a rolling basis in accordance with this subdivision.

(2) The council shall begin accepting new applications for a program grant by five months after the appropriation in the given fiscal year is made.

(3) The council shall cease accepting new applications for a program grant by the earlier of the end of the fiscal year in which the appropriation is made or the date the funds from the appropriation have been expended.

(4) Applicants shall submit an application for a program grant to the council in a form and manner specified by the council. The application shall include, at a minimum, all of the following:

(A) Information on the number and demographics of the individuals living in the encampment that the applicant is requesting funding to help resolve.

(B) A description of why the specific encampment is being prioritized for resolution support.

(C) A description of how the applicant intends to collaborate with state and local partners to mitigate risk and address safety concerns while ensuring a pathway for individuals living in encampments to move into safe and stable housing.

(D) A description of how the applicant intends to use these funds to connect all individuals living in the encampment to services and housing.

(E) A description of other local resources and funding streams that will be used to ensure the ongoing availability of services and housing support for people who are moved out of encampments into permanent housing.

(F) A goal for the number of individuals the program will support transitioning from encampments into temporary shelters.

(G) A goal for the number of individuals the program will support transitioning from encampments into permanent housing.

(5) In awarding grants, funding shall be prioritized for both of the following:

(A) Jurisdictions that can demonstrate a commitment to cross-systems collaboration, including collaborations with state entities, and innovative efforts to resolve encampment issues, while focusing on protecting the health and well-being of the individuals living in those encampments.

(B) Applicants that represent the diversity of communities across the state, including, but not limited to, rural, urban, and suburban communities.

(d) The council may do any of the following:

(1) Monitor grantee performance.

(2) Require a grantee not meeting goals to accept technical assistance from the council.

(3) Limit the allowable uses of program funds for a grantee that is not meeting goals.

(e) The council may use up to 5 percent of money appropriated in a given fiscal year for administration of the program, including capacity building and technical assistance activities in support of program goals.

(Added by Stats. 2022, Ch. 70, Sec. 6. (SB 197) Effective June 30, 2022.)

50253. (a) The council shall administer the funding round 1 moneys of the program in accordance with the following timelines:

(1) The council shall make a program application available no later than October 31, 2021.

(2) Applications shall be due to the council no later than December 31, 2021.

(3) The council shall make initial award determinations no later than March 1, 2022.

(4) If not all funds have been awarded after the first round of grant awards, the council may accept additional applications and make additional awards until all funds have been allocated.

(b) (1) Recipients of funding round 1 moneys shall expend at least 50 percent of their allocation by June 30, 2023.

(2) Recipients who fail to expend their allocated funds in compliance with this subdivision shall return to the council no less than 25 percent of their total allocation amount for reallocation by the council during subsequent rounds of funding.

(c) Recipients of funding round 1 moneys shall expend all program funds no later than June 30, 2024. Any funds not expended by this date shall be returned to the council to be reallocated pursuant to Section 50252.1.

(d) (1) Recipients of additional funding round moneys pursuant to subdivision (b) of Section 50252.1 shall expend at least 50 percent of their allocation within two fiscal years of the date of the award. Any funds not expended by this date shall be returned to the council and reallocated pursuant to Section 50252.1.

(2) Recipients of additional funding round moneys pursuant to subdivision (b) of Section 50252.1 shall obligate 100 percent of their allocation within two fiscal years of the date of the award.

(3) Recipients that do not meet requirement in paragraph (2) shall submit to the council within 60 days of the end of the second fiscal year a plan for obligating 100 percent of their allocation within six months.

(4) The council may subject recipients that do not meet the requirement in paragraph (2) to additional corrective action determined by the council.

(5) Recipients of additional funding round moneys pursuant to subdivision (b) of Section 50252.1 shall expend all program funds within three fiscal years of the date of the award. Any funds not expended by this date shall revert to the fund of origin.

(e) (1) Recipients of additional funding round moneys pursuant to subdivision (c) of Section 50252.1 shall expend at least 50 percent of their allocation within two fiscal years of the date of the award.

(2) Recipients of additional funding round moneys pursuant to subdivision (c) of Section 50252.1 shall obligate 100 percent of their allocation within two fiscal years of the date of the award.

(3) Recipients that do not meet the requirement in paragraph (2) shall submit to the council within 60 days of the end of the second fiscal year a plan for obligating 100 percent of their allocation within six months.

(4) The council may subject recipients that do not meet the requirement in paragraph (2) to additional corrective action determined by the council.

(5) Recipients of additional funding round moneys pursuant to subdivision (c) of Section 50252.1 shall expend all program funds within four fiscal years of the date of the award. Any funds not expended by this date shall revert to the fund of origin.

(Amended by Stats. 2025, Ch. 22, Sec. 47. (AB 130) Effective June 30, 2025.)

50254. (a) Notwithstanding any other law, all recipients of funds pursuant to this chapter shall provide data elements, including, but not limited to, health information, in a manner consistent with state and federal law, to their local Homeless Management Information System for tracking in the statewide Homeless Data Integration System.

(b) (1) The council shall specify the form and substance of the required data elements.

(2) The council may, as required by operational necessity, amend or modify data elements, disclosure formats, or disclosure frequency.

(3) Grantees shall report individual, client-level data for persons served by grant funding to the council, in addition to any data reported through local Homeless Management Information System, as required by the council for the purposes of research and evaluation of grant performance, service pathways, and outcomes for people served.

(4) Council staff may use information reported directly from grantees and through statewide Homeless Data Integration System for the purposes of research and evaluation of grant performance, service pathways, and outcomes for people served.

(c) Any health information or personal identifying information provided to or maintained within the statewide Homeless Data Integration System pursuant to this section shall not be subject to public inspection or disclosure under the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1 of the Government Code).

(d) For purposes of this paragraph, "health information" includes "protected health information," as defined in Part 160.103 of Title 45 of the Code of Federal Regulations, and "medical information," as defined in subdivision (j) of Section 56.05 of the Civil Code.

(e) All recipients shall provide information and products developed with grant funds on service delivery models in support of the overall program goal to mitigate risk and address safety concerns in encampments, while ensuring a pathway for individuals living in encampments to move into safe and stable housing, in a format and timeframe specified by the council.

(f) The council shall evaluate the data and outcomes reported by recipients to assess efficacy of programs and identify scalable best practices for encampment resolution that can be replicated across the state.

(g) The council shall report to the chairs of the relevant fiscal and policy committees in both houses on the outcomes, learnings, and best practice models identified through this program. The report shall be submitted in compliance with Section 9795.

(h) Contracts entered into to implement this chapter shall be exempt from all of the following:

(1) Chapter 6 (commencing with Section 14825) of Part 5.5 of Division 3 of Title 2 of the Government Code.

(2) The personal services contracting requirements of Article 4 (commencing with Section 19130) of Chapter 5 of Part 2 of Division 5 of Title 2 of the Government Code.

(3) Part 2 (commencing with Section 10100) of Division 2 of the Public Contract Code and the State Contracting Manual.

(4) Notwithstanding Section 11546 of the Government Code, from review or approval of any division of the Department of Technology, upon approval from the Department of Finance.

(5) From the review or approval of any division of the Department of General Services.

(Amended by Stats. 2023, Ch. 131, Sec. 124. (AB 1754) Effective January 1, 2024.)

50254.5. (a) (1) For funding appropriated in fiscal years 2021–22, 2022–23, and 2023–24 for purposes of this chapter, no later than April 1 of the year following the expiration of the encumbrance period of funds, each recipient that receives a program allocation shall submit to the department a final report pursuant to Section 50254.

(2) Beginning April 1, 2025, and ending the April prior to the appropriation's encumbrance period expiration, each recipient that receives a program allocation shall submit to the department an annual report in a format determined by the department as well as detailed uses of the program funds.

(b) For funding appropriated in fiscal years 2024–25 and 2025–26 for purposes of this chapter, the following provisions apply:

(1) Notwithstanding any other law, all recipients of funds pursuant to this chapter shall provide data elements, including, but not limited to, health information, in a manner consistent with state and federal law, to their local Homeless Management Information System for tracking in the statewide Homeless Data Integration System.

(2) (A) The department shall specify the form and substance of the required data elements.

(B) The department may, as required by operational necessity, amend or modify data elements, disclosure formats, or disclosure frequency.

(C) Grantees shall report individual, client-level data for persons served by grant funding to the department, in addition to any data reported through local Homeless Management Information Systems, as required by the department for purposes of research and evaluation of grant performance, service pathways, and outcomes for people served.

(D) Department staff may use information reported directly from grantees and through the statewide Homeless Data Integration System for the purposes of research and evaluation of grant performance, service pathways, and outcomes for people served.

(3) Any health information or personal identifying information provided to or maintained within the statewide Homeless Data Integration System pursuant to this section shall not be subject to public inspection or disclosure under the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1 of the Government Code). For purposes of this paragraph, "health information" includes "protected health information," as defined in Section 160.103 of Title 45 of the Code of Federal Regulations, and "medical information," as defined in subdivision (j) of Section 56.05 of the Civil Code.

(4) All recipients shall provide information and products developed with grant funds on service delivery models in support of the overall program goal to mitigate risk and address safety concerns in encampments, while ensuring a pathway for individuals living in encampments to move into safe and stable housing, in a format and timeframe specified by the department.

(5) Beginning April 1, 2026, and ending the April prior to the appropriation's encumbrance period expiration, each recipient that receives a program allocation shall submit to the department an annual report in a format determined by the department as well as detailed uses of the program funds.

(6) No later than April 1 of the year following the expiration of the encumbrance period of funds, each recipient that receives a program allocation shall also submit to the department a final report in a format determined by the department as well as detailed uses of the program funds. Each grantee shall provide either through their local Homeless Management Information System or alternative format determined by the department all of the following data elements as part of the final report:

(A) The number of homeless individuals served using the program funds in that year.

(B) The total number of individuals served in all years of the program, as well the homeless population served.

(C) Aggregate outcome data for individuals served using program funds, including all of the following:

(i) The type of housing that the individuals exited to from the encampment, including whether the housing is permanent or interim.

(ii) The percentage of successful housing exits.

(iii) Exit types for unsuccessful housing exits.

(D) The eligible uses and expenditures of awarded program funds.

(E) The number and size of the encampment addressed.

(F) The number of encampments that the grantee has resolved.

(G) The types of housing assistance provided, including, but not limited to, permanent or interim housing, broken out by the number of individuals served.

(c) The department shall post the annual reports and final reports submitted pursuant to this section on its internet website within 30 days of receipt and provide notice to the appropriate policy and budget committees.

(Added by Stats. 2024, Ch. 48, Sec. 15. (AB 166) Effective July 2, 2024.)