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AB-1285 Homeless Housing, Assistance, and Prevention program and Encampment Resolution Funding program. (2023-2024)

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Assembly Bill No. 1285

CHAPTER 727

An act to amend Section 50233 of the Health and Safety Code, relating to housing.

[Approved by Governor October 10, 2023. Filed with Secretary of State October 10, 2023.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1285, Wicks. Homeless Housing, Assistance, and Prevention program and Encampment Resolution Funding program.

Existing law establishes the Homeless Housing, Assistance, and Prevention program, administered by the California Interagency Council on Homelessness, to provide grant funds to cities, continuums of care, and tribes in 5 rounds to support regional coordination and expand or develop local capacity to address homelessness challenges informed by a best-practices framework focused on moving homeless individuals and families into permanent housing and supporting the effort of those individuals and families to maintain their permanent housing. Existing law requires, to be eligible for a round 5 base program allocation, a jurisdiction that is not a tribe to apply as part of a region and to be signatory to a regionally coordinated homelessness action plan that has been approved by the council. Existing law requires the regionally coordinated homelessness action plan to include, among other things, an explanation of how each participating jurisdiction is utilizing local, state, and federal funding programs to end homelessness.

Existing law establishes the Encampment Resolution Funding program, administered by the California Interagency Council on Homelessness, to increase collaboration between the council, local jurisdictions, and continuums of care for specified purposes. Existing law requires the council to award moneys pursuant to the program as competitive grants, as specified, to be used to support encampment resolution and rehousing efforts for local jurisdictions. Existing law requires the council to prioritize funding applicants that demonstrate a commitment to cross-systems collaboration and innovative efforts to resolve encampment issues or have 50 or more individuals living in the encampment.

This bill would require the above-described regionally coordinated homelessness action plan to additionally include evidence and an explanation by a continuum of care that shares geographic boundaries with a city, county, or city and county that is using state funding allocated pursuant to the Homeless Housing, Assistance, and Prevention program or is receiving state funding pursuant to the Encampment Resolution Funding program to provide services or housing for place-based encampment resolution, of collaboration with the city, county, or city and county that addresses how people served through encampment resolution have or will be included in prioritization for permanent housing within coordinated entry systems.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 50233 of the Health and Safety Code is amended to read:

50233. (a) To be eligible for a round 5 base program allocation, a jurisdiction that is not a tribe must apply as part of a region and must be signatory to a regionally coordinated homelessness action plan that has been approved by the council.

(b) The council shall approve a regionally coordinated homelessness action plan when the council determines that the plan meets all of the requirements of this section.

(c) The regionally coordinated homelessness action plan shall include all of the following components:

(1) Identification and analysis of the specific roles and responsibilities of each participating jurisdiction in the region regarding outreach and site coordination, siting and use of available land, the development of shelter, interim, and permanent housing options, and the coordination and connection to the delivery of services to individuals experiencing homeless, or at risk of experiencing homelessness, within the region. The plan may also include roles and responsibilities of small jurisdictions in the region that elect to engage and collaborate on the plan.

(2) Most recent system performance metrics for the region, which shall include all of the following:

(A) The number of people experiencing homelessness.

(B) Racial and ethnic disparities in who experiences homelessness.

(C) The average length of time people experience homelessness and any racial and ethnic disparities in the average length of time people experience homelessness.

(D) The percentage of people exiting homelessness into permanent housing.

(E) The number of people who return to homelessness after exiting homelessness into permanent housing.

(F) The racial and ethnic disparities of people exiting homelessness into permanent housing.

(G) The number of people falling into homelessness for the first time and the racial or ethnic disparities of people who are falling into homelessness for the first time.

(3) A description of key actions the region intends to take to improve the performance metrics described in paragraph (2). The plan may also include key actions of small jurisdictions in the region that elect to engage and collaborate in the plan. In naming key action steps, a region will identify all of the following:

(A) The sources of federal, state, and local funding the region intends to use to achieve the action steps and objectives.

(B) The lead entity on an action step and collaborating entities partnering to achieve the key action step.

(C) A timeframe for action.

(D) The methods of measuring the success of the action step and related performance metrics.

(4) A description of key actions each participating jurisdiction will take to reduce the number of people falling into homelessness as they exit institutional settings to, including, but not limited to, jails, prisons, and hospitals.

(5) (A) An explanation of how each participating jurisdiction is utilizing local, state, and federal funding programs to end homelessness, including, but not limited to all of the following:

(i) The Homekey program, as described in Section 50675.1.1.

(ii) The No Place Like Home Program (Part 3.9 (commencing with Section 5849.1) of Division 5 of the Welfare and Institutions Code).

(iii) The Multifamily Housing Program (Chapter 6.7 (commencing with Section 50675) of Part 2).

(iv) The Housing for a Healthy California Program (Part 14.2 (commencing with Section 53590)).

(v) The Homeless Housing, Assistance, and Prevention Program (Chapter 6 (commencing with Section 50216)).

(vi) Funding distributed to local jurisdictions pursuant to subparagraph (B) of paragraph (2) of subdivision (b) of Section 50470.

(vii) The California Emergency Solutions Grants Program (Chapter 19 (commencing with Section 50899.1) of Part 2).

(viii) The National Housing Trust Fund established pursuant to the Housing and Economic Recovery Act of 2008 (Public Law 110-289), and implementing federal regulations.

(ix) HOME Investment Partnerships Act (Chapter 16 (commencing with Section 50896)).

(x) Parolee or probation programs that are intended to prevent homelessness upon release.

(B) An explanation of how the region is connecting, or will connect, individuals to wrap-around services from all eligible federal, state, and local benefit programs, including, but not limited to, housing and homelessness services and supports that are integrated with the broader social services systems and supports, including, but not limited to:

(i) CalWORKs (Chapter 2 (commencing with Section 11200) of Part 3 of Division 9 of the Welfare and Institutions Code).

(ii) CalFresh (Chapter 10 (commencing with Section 18900) of Part 6 of Division 9 of the Welfare and Institutions Code).

(iii) Supplemental Security Income/State Supplemental Program (SSI/SSP) (Subchapter 16 (commencing with Section 1381) of Chapter 7 of Title 42 of the United States Code and Chapter 3 (commencing with Section 12000) of Part 3 of Division 9 of the Welfare and Institutions Code) and the Cash Assistance Program for Immigrants (CAPI) pursuant to Chapter 10.3 (commencing with Section 18937) of Chapter 10.3 of Part 6 of Division 9 of the Welfare and Institutions Code.

(iv) In-home supportive services.

(v) Adult protective services.

(vi) Child welfare.

(vii) Child care and development.

(viii) Disability benefits advocacy.

(ix) Medi-Cal program (Chapter 7 (commencing with Section 14000) of Part 3 of Division 9 of the Welfare and Institutions Code).

(C) The plan may also include local, state, and federal funding uses of small jurisdictions in the region that elect to engage and collaborate on the plan pursuant to paragraph (4).

(6) A description of specific actions the region will take to ensure racial and gender equity in service delivery, housing placements, and housing retention and changes to procurement or other means of affirming racial and ethnic groups that are overrepresented among residents experiencing homelessness have equitable access to housing and services.

(7) Evidence and an explanation by a continuum of care that shares geographic boundaries with a city, county, or city and county that is using state funding allocated pursuant to this chapter or is receiving state funding pursuant to the Encampment Resolution Funding program (Chapter 7 (commencing with Section 50250)) to provide services or housing for place-based encampment resolution, of collaboration with that city, county, or city and county that addresses how people served through encampment resolution have or will be included in prioritization for permanent housing within coordinated entry systems. This paragraph shall not be interpreted to supersede or limit the federal requirements of coordinated entry systems.

(d) Participating jurisdictions shall collaborate to complete the regionally coordinated homelessness action plan and shall engage in a public stakeholder process that includes at least three public meetings before completing the plan.

(e) The participating jurisdictions shall invite and encourage all of the following to engage in the public stakeholder process:

(1) People with lived experience of homelessness.

(2) Youth with lived experience of homelessness.

(3) Local department leaders and staff of qualifying small jurisdictions, including child welfare, health care, behavioral health, justice, and education system leaders.

(4) Homeless service and housing providers working in that region.

(5) Each Medi-Cal Managed Care Plan contracted with the State Department of Health Care Services in the region.

(6) Street medicine providers and other providers directly serving people experiencing homelessness or at risk of homelessness.

(f) The regionally coordinated homelessness action plan shall be reflected in a memorandum of understanding committing each signatory to participation in, and to comply with, the regionally coordinated homelessness action plan.

(g) Smaller jurisdictions in the region may also sign the memorandum of understanding and commit to participation in, and compliance with, the regionally coordinated homelessness action plan. Counties are encouraged to allocate resources from program funding to smaller jurisdictions that participate in and commit to complying with the regionally coordinated homelessness action plan.

(h) Upon receipt of a proposed regionally coordinated homelessness action plan, the council shall review it in coordination with the Department of Housing and Community Development, the State Department of Health Care Services, and the State Department of Social Services.

(i) A qualifying jurisdiction or continuum of care participating in a regionally coordinated homelessness action plan shall post on its internet website that proposed, approved, and amended regionally coordinated homelessness action plan.

(j) The council may consult with any local government, public agency, group, or person, and shall receive and consider any written comments from any public agency, group, or person, regarding the action by a participating jurisdiction in determining whether the regional coordinated homeless action plan substantially complies with this chapter.