SENATE BILL 796

O1 4lr2980
CF 4lr2431

By: **Senator Madaleno**
Introduced and read first time: January 31, 2014
Assigned to: Finance

A BILL ENTITLED

AN ACT concerning

Human Services – Interagency Council on Homelessness

FOR the purpose of repealing the Governor's Advisory Board on Homelessness and establishing an Interagency Council on Homelessness; establishing the membership, staffing, chair, quorum, and meeting times of the Council; prohibiting a member of the Council from receiving certain compensation but authorizing the reimbursement of certain expenses; establishing certain duties of the Council; requiring the Department of Human Resources to adopt certain regulations; repealing certain provisions of law relating to the Advisory Board on Homelessness and the Shelter, Nutrition, and Service Program for Homeless Individuals and Families; defining certain terms; and generally relating to the Interagency Council on Homelessness.

BY repealing and reenacting, with amendments,
Article – Human Services
Section 6–417, 6–421 through 6–424, and 6–427
Annotated Code of Maryland
(2007 Volume and 2013 Supplement)

BY repealing
Article – Human Services
Section 6–418 through 6–420, 6–425, and 6–426
Annotated Code of Maryland
(2007 Volume and 2013 Supplement)

BY adding to
Article – Human Services
Section 6–422 and 6–423
Annotated Code of Maryland
(2007 Volume and 2013 Supplement)

EXPLANATION: **CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**
[Brackets**]** indicate matter deleted from existing law.

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

Article – Human Services

6–417.

(a) In this part the following words have the meanings indicated.

(B) "CONTINUUM OF CARE" MEANS A REGIONAL OR LOCAL PLANNING BODY THAT COORDINATES HOUSING AND SERVICES FUNDING FOR HOMELESS FAMILIES AND INDIVIDUALS.

[(b)**] (C) [**"Advisory Board" means the Governor's Advisory Board**] "COUNCIL" MEANS THE INTERAGENCY COUNCIL** on Homelessness.

[(c) "Homeless individual" means an individual who:

(1) is in need of housing or emergency shelter and proper nutrition;

(2) cannot be placed immediately in another available housing, nutrition, and service program; and

(3) is a resident of the State when the individual makes an application for housing.

(d) "Housing crisis" means a situation involving a family or individual who is:

(1) threatened with the immediate loss of housing or other shelter;

(2) without resources to avoid an impending eviction; or

(3) otherwise at risk of becoming homeless.

(e) "Program" means the Shelter, Nutrition, and Service Program for Homeless Individuals and Families.**]**

[6–418.

The General Assembly finds and declares that:

(1) an increasing number of individuals and families in the State are homeless and lack proper nutrition and adequate services;

(2) current State–operated programs do not adequately address these problems; and

(3) as a result, there is a lack of quality emergency public and private housing, nutrition, and service programs available for these individuals and families.**]**

[6–419.

The Governor may establish a shelter, nutrition, and service program for homeless individuals and families.**]**

[6–420.

The purposes of the Program are to provide facilities or programs that offer and provide:

(1) crisis and transition shelter, proper nutrition, and adequate services to homeless individuals and families, which may include linkage to multiple service components, centralized decision making regarding placement, case management, transportation, and follow–up services; and

(2) services to prevent individuals and families in a housing crisis from becoming homeless.**]**

[6–421.**] 6–418.**

There is an **[**Advisory Board**] INTERAGENCY COUNCIL** on Homelessness.

[6–422.**] 6–419.**

(a) The **[**Advisory Board**] COUNCIL** consists of **[**two members from each congressional district in the State appointed by the Governor.**] THE FOLLOWING MEMBERS:**

(1) THE SECRETARY OF AGING, OR THE SECRETARY'S DESIGNEE;

(2) THE SECRETARY OF BUDGET AND MANAGEMENT, OR THE SECRETARY'S DESIGNEE;

(3) THE SECRETARY OF HEALTH AND MENTAL HYGIENE, OR THE SECRETARY'S DESIGNEE;

(4) THE SECRETARY OF HOUSING AND COMMUNITY DEVELOPMENT, OR THE SECRETARY'S DESIGNEE;

(5) THE SECRETARY, OR THE SECRETARY'S DESIGNEE;

(6) THE SECRETARY OF LABOR, LICENSING, AND REGULATION, OR THE SECRETARY'S DESIGNEE;

(7) THE SECRETARY OF PUBLIC SAFETY AND CORRECTIONAL SERVICES, OR THE SECRETARY'S DESIGNEE;

(8) THE STATE SUPERINTENDENT OF SCHOOLS, OR THE STATE SUPERINTENDENT'S DESIGNEE;

(9) THE SECRETARY OF TRANSPORTATION, OR THE SECRETARY'S DESIGNEE;

(10) THE SECRETARY OF VETERANS AFFAIRS, OR THE SECRETARY'S DESIGNEE; AND

(11) THE FOLLOWING MEMBERS, APPOINTED BY THE GOVERNOR:

(I) ONE REPRESENTATIVE OF THE GOVERNOR'S OFFICE FOR CHILDREN;

(II) THREE REPRESENTATIVES OF LOCAL CONTINUUMS OF CARE; AND

(III) FIVE REPRESENTATIVES FROM DIVERSE GEOGRAPHICAL REGIONS OF THE STATE ENGAGED IN HOMELESS ADVOCACY WITH A FOCUS ON HOUSING, EMPLOYMENT, AND ACCESS TO HEALTHCARE.

(b) **[**(1) The term of a member is 2 years.

(2) The terms of the members are staggered as required by the terms provided for members of the Advisory Board on October 1, 2007.

(3) At the end of a term, a member continues to serve until a successor is appointed.

(4) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed.

(c)**]** The Governor may remove a member for incompetence or misconduct.

[6–423.**] 6–420.**

(a) **[**(1)**]** From among its members, the **[**Advisory Board annually**] COUNCIL** shall elect a chair.

[(2) The manner of the election of a chair shall be as the Advisory Board determines.**]**

(b) **[**The Advisory Board may employ a staff and make other expenditures in accordance with the State budget.**] AFTER THE ELECTION OF THE FIRST CHAIR, A CANDIDATE FOR CHAIR MUST BE A MEMBER OF THE COUNCIL WHO ATTENDED AT LEAST A MAJORITY OF THE COUNCIL'S MEETINGS DURING THE YEAR IMMEDIATELY PRECEDING THE ELECTION.**

(C) THE TERM OF THE CHAIR IS 2 YEARS.

(D) THE CHAIR MAY NOT SERVE CONSECUTIVE TERMS.

[6–424.**] 6–421.**

(a) A majority of the members then serving on the **[**Advisory Board**] COUNCIL** is a quorum.

(b) The **[**Advisory Board**] COUNCIL** shall determine the times and places of its meetings.

(c) A member of the **[**Advisory Board**] COUNCIL**:

(1) may not receive compensation as a member of the **[**Advisory Board**] COUNCIL**; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

6–422.

THE DEPARTMENT SHALL PROVIDE STAFF FOR THE COUNCIL.

[6–425.

The Advisory Board shall:

(1) advise the Department on the adoption of regulations to design and administer the Program;

(2) coordinate and monitor the operation of the Program;

(3) propose annually to the Department a budget and a funding request for the Program;

(4) advise the Department on:

(i) a plan to serve homeless individuals;

(ii) the distribution of funds;

(iii) the effectiveness of programs; and

(iv) the needs of the homeless;

(5) make recommendations to the Department on the allocation of any available federal funds, State funds, foundation grants, and private donations to establish, administer, and operate shelter, nutrition, and service programs for homeless individuals and families;

(6) make recommendations to the Department on the allocation of funds to the areas of the State considering unmet needs, the number of homeless individuals and families in those areas, proximity to similar services, availability of alternate sources of funds, and other relevant factors; and

(7) report annually to the Governor and, subject to § 2–1246 of the State Government Article, to the General Assembly on the activities of the Program, including:

(i) financial reports;

(ii) Advisory Board actions;

(iii) distribution of funds; and

(iv) service successes and failures.**]**

[6–426.

(a) The Department shall:

(1) contract with nonprofit organizations to operate the Program;

(2) seek the recommendations of the Advisory Board about policy determinations, the allocation of funds, and the development of a plan to serve homeless individuals and families;

(3) allocate any available federal funds and State funds to establish, administer, and operate shelter, nutrition, and service programs for homeless individuals and families;

(4) allocate funds to the areas of the State, considering unmet needs and the number of homeless individuals and families in those areas;

(5) establish a housing counselor and aftercare program to assist families and individuals in obtaining and maintaining permanent housing;

(6) establish and implement a homelessness prevention program to provide services to families and individuals in a housing crisis, which may include:

(i) case management services;

(ii) counseling to detect households at risk of becoming homeless;

(iii) training on budgeting and other life skills;

(iv) education about tenants' rights and responsibilities; and

(v) cash assistance;

(7) establish uniform reporting criteria for providers of services to homeless individuals and families under this part;

(8) collect regional data on the number of homeless individuals and families that receive services under this part; and

(9) make recommendations on the resources necessary to provide adequate programs.

(b) (1) The Department shall report annually to the Governor on the extent of homelessness during the preceding year.

(2) The Department shall submit a report to the Governor and, subject to § 2–1246 of the State Government Article, to the General Assembly on the effectiveness of the homelessness prevention program in preventing families and individuals from becoming homeless.**]**

6–423.

THE COUNCIL SHALL:

(1) COORDINATE STATE POLICY AND WORKING RELATIONSHIPS AMONG STATE, LOCAL, AND NONPROFIT AGENCIES CONCERNING EFFORTS TO REMEDY AND PREVENT HOMELESSNESS;

(2) COORDINATE DATA SHARING BETWEEN LOCAL CONTINUUMS OF CARE;

(3) COORDINATE OUTREACH TO EACH CONTINUUM OF CARE TO DEVELOP JOINT STRATEGIES THAT IMPACT STATE AND FEDERAL FUNDING EFFORTS TO REMEDY AND PREVENT HOMELESSNESS;

(4) DETERMINE COMPREHENSIVE AND EFFECTIVE COLLABORATIVE STRATEGIES AND BEST PRACTICES FOR REMEDIATION AND PREVENTION OF HOMELESSNESS IN THE STATE, IN PARTICULAR ADDRESSING THE DIFFERING NEEDS OF THE STATE'S GEOGRAPHIC AREAS;

(5) REVIEW AND ANALYZE THE NEED FOR AND AVAILABILITY OF RESOURCES TO ADDRESS THE NEEDS OF HOMELESS INDIVIDUALS THROUGHOUT THE STATE;

(6) RECOMMEND CHANGES NECESSARY TO ALLEVIATE OR PREVENT HOMELESSNESS, INCLUDING MAKING RECOMMENDATIONS TO THE APPROPRIATE STATE AGENCIES AND ORGANIZATIONS REGARDING EFFECTIVE DISTRIBUTION OF RESOURCES AND ACCESS TO AVAILABLE SERVICES AND PROGRAMS;

(7) IDENTIFY SUPPORTIVE SERVICES FOR SPECIAL POPULATIONS, INCLUDING VETERANS, YOUTH, AND INDIVIDUALS WITH MENTAL ILLNESSES;

(8) DISSEMINATE INFORMATION AND EDUCATE THE PUBLIC ABOUT THE CAUSES OF AND RESPONSES TO HOMELESSNESS; AND

(9) SOLICIT INPUT FROM THE ADVOCACY COMMUNITY, THE BUSINESS COMMUNITY, THE FAITH COMMUNITY, AND CONSUMERS REGARDING POLICY AND PROGRAM DEVELOPMENT.

[6–427.**] 6–424.**

The Department shall adopt regulations**[**, with the advice and recommendations of the Advisory Board,**]** to govern the **[**implementation**] DEVELOPMENT, IMPLEMENTATION,** and evaluation of **[**the Program under this part**] POLICIES AND**

PROGRAMS TO MAKE HOMELESSNESS RARE AND, IF IT OCCURS, OF BRIEF DURATION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2014.