

Department of Legislative Services  
Maryland General Assembly  
2016 Session

FISCAL AND POLICY NOTE  
First Reader

House Bill 1482  
Appropriations

(Delegate Jalisi, *et al.*)

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**Human Services - Homelessness - Emergency Cold Weather Planning**

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This bill establishes an emergency cold weather council in each county that consists of six representatives from various local entities and is chaired by the local administering agency as designated by the Department of Human Resources (DHR). Each council must work with local providers and with guidance from DHR to develop an emergency cold weather plan that must include specified elements. The bill establishes reporting requirements and requires the local administering agency to initiate the emergency cold weather plan if the wind chill temperature is at or below 32 degrees Fahrenheit in that county.

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**Fiscal Summary**

**State Effect:** General fund expenditures for the Maryland Emergency Management Agency (MEMA) increase by as much as \$60,000, beginning in FY 2017, and annually thereafter to contract with an outside alert system to provide the required cold weather notices by county. DHR and the Department of Health and Mental Hygiene (DHMH) advise that the bill has minimal impact. Revenues are not affected.

**Local Effect:** Potentially significant impact on some counties to the extent that the bill requires additional cold weather emergency and coordination measures that are not already in place. **This bill may impose a mandate on a unit of local government.**

**Small Business Effect:** None.

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## Analysis

**Bill Summary:** The “local administering agency” is the agency designated by DHR or a county to manage the homeless services program funded by DHR in a county and to provide services directly or by contract with a service provider. MEMA must report to the local administering agency if the wind chill temperature is at or below 32 degrees Fahrenheit in the county served by the local administering agency. By October 1 of each year, the local administering agency in each county must submit the emergency cold weather plan developed by the council to DHR.

The required emergency cold weather plan must include (1) a plan to identify, transport, and shelter people experiencing homelessness in the county; (2) agency communication; (3) agency and provider roles and responsibilities; (4) funding sources and budgeted costs; a system to evaluate plan implementation; and (5) identification of service and funding gaps.

The Office of the Chief Medical Examiner, DHMH, and DHR must collaborate to create a system for reporting cold weather deaths of people experiencing homelessness.

**Current Law/Background:** The majority of funding for homeless services comes from the U.S. Department of Housing and Urban Development (HUD). Maryland’s three State agencies that receive federal and State funding for homeless services are DHR, the Department of Housing and Community Development, and DHMH. Each agency awards grants to the local jurisdictions through local administering agencies. In 2015, Maryland received just over \$48 million in federal funding from HUD. Maryland dedicates about \$11 million annually in State funds toward Homeless Services.

According to HUD data, in 2014, the total homeless population in Maryland was 7,856. While the total homeless population increased to a high of 11,698 in 2009, the number of homeless has declined in every other year since 2007. The majority of Maryland’s homeless population are individuals (63%) rather than people in families (37%).

### *Recent State Legislation to Address Homelessness in Maryland*

Chapter 341 of 2014 created the Interagency Council on Homelessness (ICH) to study issues relating to homelessness; review and make recommendations on State statutes, regulations, program services, and budgetary priorities; and provide an annual report to the General Assembly. Chapter 460 of 2015 required the interagency council to determine best practices and models for providing emergency shelter and shelter diversion. Chapter 427 of 2014 established the Joint Committee on Ending Homelessness to study issues related to homelessness, including housing, income, health care, education, government supports, and veterans experiencing homelessness.

## *Local Continuums of Care*

The local planning bodies that coordinate homelessness services in a geographic area are Continuums of Care (CoCs). In 2014, the largest share of Maryland's homeless population was in the Baltimore City CoC (32.7%) followed by the Charles, Calvert, and St. Mary's county CoC (14.5%). While the majority of the homeless are individuals, in some areas (Cumberland/Allegany County CoC, Harford County CoC, and Prince George's County/Maryland CoC), the majority are families. Nearly half of Maryland's homeless veterans (46.6%) reside in the Baltimore City CoC.

ICH reports that, each winter, jurisdictions must prepare to assist individuals experiencing homelessness who do not have shelter during the coldest months. Many jurisdictions face this task with no additional funding but know it is a necessity for those in their communities to prevent death from hypothermia and other cold-related causes of death. In the jurisdictions that have year-round shelters, programs accept additional homeless individuals and families as their space permits. However, this is often not sufficient, and jurisdictions also rely on private churches and volunteer groups to assist with the effort. ICH reports that jurisdictions requested guidance to clarify and standardize expectations for cold weather sheltering, including planning timelines, standard operating procedures, temperatures that begin the cold weather response, and sources of additional funding to cover expenses for cold weather sheltering. ICH advises that this will be an ongoing effort for the council throughout the winter months.

**State Expenditures:** General fund expenditures for MEMA increase by approximately \$60,000 (or more) annually to contract with a customizable third-party weather provider with sufficient coverage in Maryland to alert a local administering agency if the wind chill temperature is at or below 32 degrees Fahrenheit in the county served by the local administering agency. MEMA advises that it has the capacity to alert local officials of alerts that are free through the National Weather Service, but it does not have the capability of providing the alerts required under the bill.

**Local Expenditures:** The services required in an emergency cold weather plan as described in the bill are provided at the local level. Most counties have some sort of emergency cold weather plan in place already. However, these services are not uniform, and the requirements under the bill may be more extensive than the current services provided in several counties. The exact impact is unknown because the impact depends on the plan developed by the emergency cold weather council in each county and the current level of services in each county.

For example, Montgomery County advises that it already fulfills all of the bill's requirements because it has a cold weather committee in place and it develops an updated cold weather emergency plan annually. Thus, there is no impact for Montgomery County.

Carroll County advises that the bill may have a significant impact to the extent that it requires the county to operate shelters continuously during cold weather. The county contracts with outside parties to open cold weather shelters from November 15 to March 30 during the evenings from 7 p.m. to 7 a.m. Warming shelters are also provided at various times. However, the county advises that there may be gaps in coverage, especially during holidays and weekends, and finding staffing coverage during these periods may require hiring additional staff or locating volunteers. If the county is required to provide continuous shelter and transportation, expenditures likely increase.

St. Mary's County advises that the bill's requirements likely results in providing additional assistance to individuals during cold weather or incurring additional local expenditures because St. Mary's program is volunteer-based and may not have sufficient capacity to implement the bill's requirements with existing resources. Any impact largely depends on the content of the emergency cold weather plan.

Queen Anne's County advises that the bill's requirements necessitate hiring an additional part-time staff person plus costs associated with food, supplies, communications, and possibly rent.

Baltimore County advises that it already implements cold weather sheltering and provides some transportation for the shelter attendees with local funding. However, the county anticipates that adding State oversight to this program likely increases costs and requires additional staff training and data reporting.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** SB 920 (Senator Pugh) - Finance.

**Information Source(s):** Baltimore, Carroll, Harford, Montgomery, Queen Anne's, and St. Mary's counties; Department of Health and Mental Hygiene; Department of Human Resources; Interagency Council on Homelessness; Maryland Emergency Management Administration; Department of Legislative Services

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