

# SENATE BILL 796

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(4lr2980)

## ENROLLED BILL

— Finance/Appropriations —

Introduced by ~~Senator Madaleno~~ Senators Madaleno, Astle, Brinkley, Feldman, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Pugh, and Ramirez

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
President.

### CHAPTER \_\_\_\_\_

1 AN ACT concerning

#### 2 **Human Services – Interagency Council on Homelessness**

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

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#### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics* indicate opposite chamber/conference committee amendments.



1 BY repealing and reenacting, with amendments,  
2 Article – Human Services  
3 Section 6–417, 6–421 through 6–424, and 6–427  
4 Annotated Code of Maryland  
5 (2007 Volume and 2013 Supplement)

6 BY repealing  
7 Article – Human Services  
8 Section 6–418 through 6–420, 6–425, and 6–426  
9 Annotated Code of Maryland  
10 (2007 Volume and 2013 Supplement)

11 BY adding to  
12 Article – Human Services  
13 Section 6–422 and 6–423  
14 Annotated Code of Maryland  
15 (2007 Volume and 2013 Supplement)

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

18 **Article – Human Services**

19 6–417.

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

21 **(B) “CONTINUUM OF CARE” MEANS A REGIONAL OR LOCAL PLANNING**  
22 **BODY THAT COORDINATES HOUSING AND SERVICES FUNDING FOR HOMELESS**  
23 **FAMILIES AND INDIVIDUALS.**

24 **[(b)] (C) [“Advisory Board” means the Governor’s Advisory Board]**  
25 **“COUNCIL” MEANS THE INTERAGENCY COUNCIL** on Homelessness.

26 **[(c) “Homeless individual” means an individual who:**

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

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

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

32 (d) “Housing crisis” means a situation involving a family or individual who  
33 is:

- 1 (1) threatened with the immediate loss of housing or other shelter;
- 2 (2) without resources to avoid an impending eviction; or
- 3 (3) otherwise at risk of becoming homeless.

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

6 [6-418.

7 The General Assembly finds and declares that:

- 8 (1) an increasing number of individuals and families in the State are  
9 homeless and lack proper nutrition and adequate services;
- 10 (2) current State-operated programs do not adequately address these  
11 problems; and
- 12 (3) as a result, there is a lack of quality emergency public and private  
13 housing, nutrition, and service programs available for these individuals and families.]

14 [6-419.

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

17 [6-420.

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

- 20 (1) crisis and transition shelter, proper nutrition, and adequate  
21 services to homeless individuals and families, which may include linkage to multiple  
22 service components, centralized decision making regarding placement, case  
23 management, transportation, and follow-up services; and
- 24 (2) services to prevent individuals and families in a housing crisis  
25 from becoming homeless.]

26 [6-421.] **6-418.**

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

28 [6-422.] **6-419.**

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

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

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

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

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

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

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

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

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

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

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

22 (11) THE SECRETARY OF JUVENILE SERVICES, OR THE  
23 SECRETARY'S DESIGNEE; AND

24 ~~(11)~~ (12) THE FOLLOWING MEMBERS, APPOINTED BY THE  
25 GOVERNOR:

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

28 (II) THREE REPRESENTATIVES OF LOCAL CONTINUUMS OF  
29 CARE; ~~AND~~

1                   (III) ~~FIVE~~ SIX REPRESENTATIVES FROM DIVERSE  
2 GEOGRAPHICAL REGIONS OF THE STATE ENGAGED IN HOMELESS ADVOCACY  
3 WITH A FOCUS ON HOUSING, EMPLOYMENT, AND ACCESS TO HEALTHCARE; AND

4                   (IV) ONE COMMUNITY REPRESENTATIVE WHO HAS  
5 PERSONALLY EXPERIENCED HOMELESSNESS.

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

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

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

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

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

14   [6-423.] **6-420.**

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

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

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

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

25           (D)   **THE CHAIR MAY NOT SERVE CONSECUTIVE TERMS.**

26   [6-424.] **6-421.**

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

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

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

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

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

8 **6-422.**

9           **THE DEPARTMENT SHALL PROVIDE STAFF FOR THE COUNCIL.**

10 **[6-425.**

11           The Advisory Board shall:

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

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

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

17                   (4)    advise the Department on:

18                           (i)    a plan to serve homeless individuals;

19                           (ii)   the distribution of funds;

20                           (iii)  the effectiveness of programs; and

21                           (iv)   the needs of the homeless;

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

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

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

- 4                   (i) financial reports;
- 5                   (ii) Advisory Board actions;
- 6                   (iii) distribution of funds; and
- 7                   (iv) service successes and failures.]

8 [6-426.

9           (a) The Department shall:

- 10                   (1) contract with nonprofit organizations to operate the Program;
- 11                   (2) seek the recommendations of the Advisory Board about policy  
12 determinations, the allocation of funds, and the development of a plan to serve  
13 homeless individuals and families;
- 14                   (3) allocate any available federal funds and State funds to establish,  
15 administer, and operate shelter, nutrition, and service programs for homeless  
16 individuals and families;
- 17                   (4) allocate funds to the areas of the State, considering unmet needs  
18 and the number of homeless individuals and families in those areas;
- 19                   (5) establish a housing counselor and aftercare program to assist  
20 families and individuals in obtaining and maintaining permanent housing;
- 21                   (6) establish and implement a homelessness prevention program to  
22 provide services to families and individuals in a housing crisis, which may include:
  - 23                   (i) case management services;
  - 24                   (ii) counseling to detect households at risk of becoming  
25 homeless;
  - 26                   (iii) training on budgeting and other life skills;
  - 27                   (iv) education about tenants' rights and responsibilities; and
  - 28                   (v) cash assistance;

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

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

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

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

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

13 **6-423.**

14 **THE COUNCIL SHALL:**

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

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

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

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

27 (5) **REVIEW AND ANALYZE THE NEED FOR AND AVAILABILITY OF**  
28 **AFFORDABLE AND ACCESSIBLE HOUSING RESOURCES TO ADDRESS THE NEEDS**  
29 **OF HOMELESS INDIVIDUALS THROUGHOUT THE STATE;**

30 (6) **RECOMMEND CHANGES NECESSARY TO ALLEVIATE OR**  
31 **PREVENT HOMELESSNESS, INCLUDING MAKING RECOMMENDATIONS ANNUALLY**  
32 **TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE STATE**  
33 **GOVERNMENT ARTICLE, AND APPROPRIATE STATE AGENCIES AND**



1 ORGANIZATIONS REGARDING EFFECTIVE POLICIES, EFFECTIVE DISTRIBUTION  
2 OF RESOURCES, AND ACCESS TO AVAILABLE SERVICES AND PROGRAMS;

3 (7) IDENTIFY SUPPORTIVE SERVICES FOR SPECIAL  
4 POPULATIONS, INCLUDING VETERANS, YOUTH, FAMILIES, AND INDIVIDUALS  
5 WITH ~~MENTAL ILLNESSES~~ BEHAVIORAL HEALTH PROBLEMS;

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

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

12 [6-427.] 6-424.

13 The Department shall adopt regulations[, with the advice and recommendations  
14 of the Advisory Board,] to govern the [implementation] DEVELOPMENT,  
15 IMPLEMENTATION, and evaluation of [the Program under this part] POLICIES AND  
16 PROGRAMS TO MAKE HOMELESSNESS RARE AND, IF IT OCCURS, OF BRIEF  
17 DURATION.

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

Approved:

\_\_\_\_\_  
Governor.

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President of the Senate.

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Speaker of the House of Delegates.