

SENATE BILL 796

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CF HB 1036

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

Introduced and read first time: January 31, 2014
Assigned to: Finance

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: March 13, 2014

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.

13 BY repealing and reenacting, with amendments,
14 Article – Human Services
15 Section 6–417, 6–421 through 6–424, and 6–427
16 Annotated Code of Maryland
17 (2007 Volume and 2013 Supplement)

18 BY repealing
19 Article – Human Services
20 Section 6–418 through 6–420, 6–425, and 6–426
21 Annotated Code of Maryland

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.



1 (2007 Volume and 2013 Supplement)

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

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

9 **Article – Human Services**

10 6–417.

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

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

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

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

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

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

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

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

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

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

27 (3) otherwise at risk of becoming homeless.

28 (e) “Program” means the Shelter, Nutrition, and Service Program for
29 Homeless Individuals and Families.]

1 [6-418.

2 The General Assembly finds and declares that:

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

5 (2) current State-operated programs do not adequately address these
6 problems; and

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

9 [6-419.

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

12 [6-420.

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

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

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

21 [6-421.] **6-418.**

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

23 [6-422.] **6-419.**

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

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

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

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

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

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

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

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

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

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

14 **(10) THE SECRETARY OF VETERANS AFFAIRS, OR THE**
 15 **SECRETARY'S DESIGNEE; ~~AND~~**

16 **(11) THE SECRETARY OF JUVENILE SERVICES, OR THE**
 17 **SECRETARY'S DESIGNEE; AND**

18 ~~**(11)**~~ **(12) THE FOLLOWING MEMBERS, APPOINTED BY THE**
 19 **GOVERNOR:**

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

22 **(II) THREE REPRESENTATIVES OF LOCAL CONTINUUMS OF**
 23 **CARE; ~~AND~~**

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

27 **(IV) ONE COMMUNITY REPRESENTATIVE WHO HAS**
 28 **PERSONALLY EXPERIENCED HOMELESSNESS.**

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

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

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

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

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

8 **[6-423.] 6-420.**

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

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

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

18 (c) **THE TERM OF THE CHAIR IS 2 YEARS.**

19 (d) **THE CHAIR MAY NOT SERVE CONSECUTIVE TERMS.**

20 **[6-424.] 6-421.**

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

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

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

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

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

1 **6-422.**

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

3 **[6-425.**

4 The Advisory Board shall:

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

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

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

10 (4) advise the Department on:

11 (i) a plan to serve homeless individuals;

12 (ii) the distribution of funds;

13 (iii) the effectiveness of programs; and

14 (iv) the needs of the homeless;

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

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

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

26 (i) financial reports;

27 (ii) Advisory Board actions;

28 (iii) distribution of funds; and

29 (iv) service successes and failures.]

1 [6-426.

2 (a) The Department shall:

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

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

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

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

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

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

16 (i) case management services;

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

19 (iii) training on budgeting and other life skills;

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

21 (v) cash assistance;

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

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

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

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

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

5 **6-423.**

6 **THE COUNCIL SHALL:**

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

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

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

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

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

22 **(6) RECOMMEND CHANGES NECESSARY TO ALLEVIATE OR**
23 **PREVENT HOMELESSNESS, INCLUDING MAKING RECOMMENDATIONS TO THE**
24 **GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE STATE**
25 **GOVERNMENT ARTICLE, AND APPROPRIATE STATE AGENCIES AND**
26 **ORGANIZATIONS REGARDING EFFECTIVE POLICIES, EFFECTIVE DISTRIBUTION**
27 **OF RESOURCES, AND ACCESS TO AVAILABLE SERVICES AND PROGRAMS;**

28 **(7) IDENTIFY SUPPORTIVE SERVICES FOR SPECIAL**
29 **POPULATIONS, INCLUDING VETERANS, YOUTH, FAMILIES, AND INDIVIDUALS**
30 **WITH ~~MENTAL ILLNESSES~~ BEHAVIORAL HEALTH PROBLEMS;**

31 **(8) DISSEMINATE INFORMATION AND EDUCATE THE PUBLIC**
32 **ABOUT THE PREVALENCE AND CAUSES OF AND RESPONSES TO HOMELESSNESS;**
33 **AND**

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

4 **[6-427.] 6-424.**

5 The Department shall adopt regulations[, with the advice and recommendations
6 of the Advisory Board,] to govern the [implementation] **DEVELOPMENT,**
7 **IMPLEMENTATION,** and evaluation of [the Program under this part] **POLICIES AND**
8 **PROGRAMS TO MAKE HOMELESSNESS RARE AND, IF IT OCCURS, OF BRIEF**
9 **DURATION.**

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.