Clerk’s Note: The Council’s amendment to lines 142-145 of the bill was not included in the enacted bill.

AN ACT to:
(1) alter the membership of the Interagency Commission on Homelessness;
(2) alter the duties of the Commission; and
(3) generally amend the law regarding the Commission.

By amending
Montgomery County Code
Chapter 24, Health and Sanitation
Sections 24-62, 24-63, 24-65, 24-66, 24-67, and 24-68

The County Council for Montgomery County, Maryland approves the following Act:
Sec. 1. Sections 24-62, 24-63, 24-65, 24-66, 24-67, and 24-68, are amended as follows:

Sec. 24-62. Legislative findings and statement of policy.

(a) The County has a goal to ensure that everyone has a home in the County, and that homelessness will be rare, brief, and non-recurring. In order to achieve this goal, the County will:

(1) end homelessness among veterans;
(2) end homelessness among chronically homeless individuals;
(3) end homelessness among families with children;
(4) end homelessness among unaccompanied youth;
(5) end homelessness among seniors; and
(6) end homelessness among all individuals in the County.

[(a)] (b) The County Council finds that [reducing] ending and preventing homelessness [requires] require substantial coordination and cooperation among federal, state, and local governments, as well as private sector service providers and community organizations.

[[(b)] (c)] Montgomery County Continuum of Care is a group of governmental entities and community representatives that carries out the responsibilities of the Continuum of Care program established pursuant to the federal Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (the HEARTH Act).

[[((c))] (d)] The County Council intends that the Interagency Commission on Homelessness established under this Article be constituted and function in such a manner that it may serve as the governing board of Montgomery County Continuum of Care, and in serving this function comply with applicable federal regulations governing the Continuum of Care program.

24-63. Definitions.
When used in this Article:

[100,000 Homes Campaign means an initiative in special needs housing
that gives priority to placing the most vulnerable, chronically homeless
people in permanent supportive housing through a Housing First model;]

Commission means the Interagency Commission on Homelessness[[:]]

Continuum of Care means a community program, established under the
HEARTH Act, to organize and deliver housing and services to meet the
specific needs of people who are homeless as they move to stable housing
and maximum self-sufficiency[[:]] [and]

End homelessness or ending homelessness means:

[[A]] (1) reaching functional zero for an identified type of
    homelessness; and

[[B]] (2) having systems in place adequate to house all
    individuals entering homelessness during a specific time
    period.

Housing First Initiative means a [process for placing homeless people
into housing that discourages imposing conditions on placement related
to health, employment, or sobriety, and seeks to reduce the time in shelter
or transitional programs and provide the needed supports to people in a
permanent home] public policy approach to homeless assistance that:

[[A]] (1) prioritizes providing permanent housing to people
    experiencing homelessness;

[[B]] (2) reduces barriers to accessing housing and other key
    services; and

[[C]] (3) is guided by the theories that:

[[i]] (A) people need basic necessities like food and
    housing before attending to other needs, such as
employment, budgeting, or substance abuse treatment;

[[[(ii)] (B)] client choice is valuable in housing selection and supportive service participation; and

[[[(iii)] (C)] exercising a choice in housing is likely to make a client more successful in remaining housed and improving the client’s life.

* * *

24-65. Members.

(a) The Commission has 25 members.

(b) The Executive must appoint the following to serve as ex officio members:

(1) Director of the Department of Health and Human Services or the Director’s designee;

(2) Chief of Services to End and Prevent Homelessness of the Department of Health and Human Services or the Chief’s designee;

[(3) Chief of Behavioral Health and Crisis Services of the Department of Health and Human Services;

(4) Director of the Department of Correction and Rehabilitation;

(5)] (3) Director of the Department of Housing and Community Affairs or the Director’s designee; and

[(6) Assistant Chief for Field Services of the Montgomery County Police Department; and

(7)] (4) A representative from the Office of the County Executive.

(c) The Executive must invite the following to serve as ex officio members:

(1) A [member] Councilmember or staff member of the County Council, selected by the Council President;
Executive Director of the Housing Opportunities Commission or the Executive Director’s designee; and

[(3) Director of Student Services of the Montgomery County Public Schools;

(4) The Mayor or the representative of the Mayor of the City of Gaithersburg;

(5) The Mayor or the representative of the Mayor of the City of Rockville;

(6) The Mayor or the representative of the Mayor of the City of Takoma Park;

(7) A representative of either the United States Department of Veterans Affairs or the Maryland Department of Veterans Affairs;

(8) The Montgomery County Sheriff or the representative of the County Sheriff; and

(9)] (3) A member of the County Legislative Delegation selected jointly by the Chairs of the House and Senate Delegations.

(d) The Executive must appoint [5] 4 members [that] who are representatives of [the Montgomery County Continuum of Care] government agencies.

(e) The Executive must appoint 4 members who are representatives of homeless service organizations that:

(1) prevent homelessness or assist homeless families, single adults, or youth; or

(2) help households to exit homelessness and maintain stable, permanent housing.

(f) The Executive must appoint 4 members who are representatives of private organizations that provide behavioral health, children and family
The Executive must appoint [4 members of the public]:

1. At least 1 [public] member [must be] who is a homeless or formerly homeless resident of Montgomery County; and
2. At least 1 member [must be] who is a representative of a hospital or other healthcare provider located in Montgomery County;
3. At least 1 member who is a representative of a private philanthropic organization or foundation; and
4. At least 1 member who is a representative of an affordable housing developer.

The Executive must appoint 2 members of the general public who are residents of the County.

The term of each non-ex officio member is 3 years. If a member is appointed to fill a vacancy before a term expires, the successor serves the rest of the unexpired term.

Recommendations by the Commission.

1. The Commission may recommend to the Executive persons to serve on the Commission under subsections (d), (e), and (f).
2. The Executive should appoint members under subsections (d), (e), and (f) from among the persons recommended by the Commission.


(a) Each member of the Commission is a voting member.
(b) The [Executive] Commission must [designate] elect a Chair and Vice Chair from among its members.
(c) The Commission must meet at least 4 times each year.
(d) A majority of the members of the Commission constitutes a quorum for the transaction of business.

[(d)] (e) A member serves without compensation. However, a member may request reimbursement for mileage and dependent care costs at rates established by the County.

[(e)] (f) The Commission may establish 1 or more [subcommittees] committees to assist in carrying out any function of the Commission. Any [subcommittee] committee action is not the action of the Commission and must not bind the Commission or its members. A [subcommittee] committee may [[include]] consult a person who is not a member of the Commission.

(g) The Commission must establish a governance committee to ensure effective coordination of the Continuum of Care. The governance committee must:

1. be co-chaired by the Chair of the Commission and the member appointed under Section 24-65(b)(2); and

2. include the member appointed under Section 24-65(b)(3) and a representative of each committee established under subsection (f).

24-67. Duties.

The Commission must:

(a) promote a community-wide goal to end and prevent homelessness;

(b) develop a strategic plan to prevent and [reduce] end homelessness and minimize the trauma and dislocation caused to homeless families and individuals;

(c) review and monitor any program that is a component of the Continuum of Care[, 100,000 Homes Campaign,] and Housing First Initiative, including:
(1) permanent housing, including permanent supportive housing and rapid re-housing;
(2) transitional housing;
(3) supportive services;
(4) homeless management information system;
(5) homelessness prevention; [and]
(6) emergency shelter; and
(7) outreach;
(d) recommend to the Executive and Council any improvements to [the Continuum of Care, including process changes, to reduce any barrier to housing and minimize the time needed to move someone from homelessness to housing] local policies to end and prevent homelessness;
(e) educate the community about homelessness, best practices to end and prevent homelessness, resources needed to end and prevent homelessness, and long term savings that are achieved by providing permanent stable housing; [and]
(f) recommend and promote partnerships with any private organization, business, corporation, philanthropic organization or foundation, and any municipal, state, or federal government agency to improve the County’s ability to prevent and [reduce] end homelessness; and
(g) establish procedures for the effective coordination of the Continuum of Care.
24-68. Annual report.
By November 30 of each year, the Commission must submit to the Executive and Council a report that:
(a) provides data and trends regarding homelessness, including data from the Council of Government’s Point-in-Time survey [and the 100,000 Homes Campaign survey];

(b) identifies gaps in the Continuum of Care that prevent or impede the County’s ability to address needs identified through the review of data on homelessness;

(c) makes recommendations for the capital and operating budget [for the following fiscal year];

(d) makes recommendations for any legislative or regulatory changes needed to implement the Continuum of Care strategic plan; and

(e) reports on any educational or public outreach activities undertaken during the preceding year.

**Sec. 2. Transition.** Non-ex officio members of the Interagency Commission on Homelessness on the effective date of this Act continue to serve on the Commission until the end of their terms.
Approved:

[Signature]

Sidney Katz, President, County Council
7/29/2020

Approved:

[Signature]

Marc Elrich, County Executive
7/29/2020

This is a correct copy of Council action.

[Signature]

Selena Mendy Singleton, Esq., Clerk of the Council
7/29/2020