

AMENDED IN SENATE APRIL 18, 2002
AMENDED IN SENATE MARCH 4, 2002
AMENDED IN ASSEMBLY APRIL 30, 2001

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 1354

Introduced by Assembly Member Rod Pacheco

February 23, 2001

An act to amend Section 50801.5 of the Health and Safety Code, relating to housing, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1354, as amended, Rod Pacheco. Emergency housing.

Under existing law, the Department of Housing and Community Development is required to adopt regulations for the administration of the Emergency Housing and Assistance Program. Existing law further provides that, notwithstanding a specified provision of law relating to discrimination, nothing in these provisions shall be construed to preclude a provider of emergency shelter or transitional housing from restricting occupancy on the basis of sex.

This bill would additionally provide that the provisions described above shall not be construed to preclude a provider of emergency shelter or transitional housing from restricting occupancy on the basis of age ~~if certain conditions exist~~.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: ²/₃. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. *The Legislature finds and declares all of the*
2 *following:*
3 (a) *Runaway and homeless youth 24 years of age or younger*
4 *are much more likely to be victims of abuse from adults than their*
5 *peers.*
6 (b) *The prevalence of sexual abuse alone among homeless and*
7 *runaway youth is 23 percent to 33 percent, while only 2 percent to*
8 *3 percent of the general youth population has experienced sexual*
9 *abuse.*
10 (c) *Precluding shelter or transitional housing facilities from*
11 *restricting occupancy on the basis of age may place persons 24*
12 *years of age or younger at risk for further abuse or hinder their*
13 *recovery.*
14 SEC. 2. Section 50801.5 of the Health and Safety Code is
15 amended to read:
16 50801.5. (a) The department shall adopt regulations for the
17 administration of the Emergency Housing and Assistance
18 Program. The regulations shall govern the equitable distribution
19 of funds in accordance with the intent and provisions of this
20 chapter, and shall ensure that the program is administered in an
21 effective and efficient manner. The regulations shall provide for
22 reasonable delegation of authority to designated local boards,
23 ensure that local priorities and criteria are reasonably designed to
24 address the needs of homeless people, and ensure that designated
25 local boards meet reasonable standards of inclusiveness,
26 accountability, nondiscrimination, and integrity.
27 (b) The regulations adopted pursuant to this section shall
28 ensure that emergency shelter and services shall be provided on a
29 first-come-first-served basis for whatever time periods are
30 established by the shelter. No individual or household may be
31 denied shelter or services because of an inability to pay. Nothing
32 in this provision shall be construed to preclude a shelter from
33 accepting payment vouchers provided through any other public or
34 private program so long as no shelter beds are reserved beyond
35 sundown for that purpose. Notwithstanding Section 11135 of the



1 Government Code or any other provision of law, nothing in this
2 section shall be construed to preclude a provider of emergency
3 shelter or transitional housing from restricting occupancy on the
4 basis of sex or, in the case of an emergency shelter or transitional
5 housing offered exclusively to persons 24 years of age or younger,
6 ~~on the basis of age, but only to the extent that the emergency shelter~~
7 ~~or transitional housing administrator reasonably believes that~~
8 ~~these age restrictions are necessary for the health and safety of the~~
9 ~~occupants who are 24 years of age or younger. However, in the~~ *on*
10 *the basis of age. However, in the* case of families, providers of
11 emergency shelter or transitional housing shall provide, to the
12 greatest extent feasible, adequate facilities within their range of
13 services so that all members of a family may be housed together,
14 regardless of age and gender.

15 ~~SEC. 2.—~~

16 *SEC. 3.* This act is an urgency statute necessary for the
17 immediate preservation of the public peace, health, or safety
18 within the meaning of Article IV of the Constitution and shall go
19 into immediate effect. The facts constituting the necessity are:

20 In order to reinstate funding for homeless youth shelters, it is
21 necessary that this act take effect immediately as an urgency
22 statute.

