

Assembly Bill No. 1354

CHAPTER 46

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.

[Approved by Governor May 21, 2002. Filed with
Secretary of State May 22, 2002.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1354, 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.

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

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

SECTION 1. The Legislature finds and declares all of the following:

(a) Runaway and homeless youth 24 years of age or younger are much more likely to be victims of abuse from adults than their peers.

(b) The prevalence of sexual abuse alone among homeless and runaway youth is 23 percent to 33 percent, while only 2 percent to 3 percent of the general youth population has experienced sexual abuse.

(c) Precluding shelter or transitional housing facilities from restricting occupancy on the basis of age may place persons 24 years of age or younger at risk for further abuse or hinder their recovery.

SEC. 2. Section 50801.5 of the Health and Safety Code is amended to read:

50801.5. (a) The department shall adopt regulations for the administration of the Emergency Housing and Assistance Program. The regulations shall govern the equitable distribution of funds in accordance with the intent and provisions of this chapter, and shall



ensure that the program is administered in an effective and efficient manner. The regulations shall provide for reasonable delegation of authority to designated local boards, ensure that local priorities and criteria are reasonably designed to address the needs of homeless people, and ensure that designated local boards meet reasonable standards of inclusiveness, accountability, nondiscrimination, and integrity.

(b) The regulations adopted pursuant to this section shall ensure that emergency shelter and services shall be provided on a first-come-first-served basis for whatever time periods are established by the shelter. No individual or household may be denied shelter or services because of an inability to pay. Nothing in this provision shall be construed to preclude a shelter from accepting payment vouchers provided through any other public or private program so long as no shelter beds are reserved beyond sundown for that purpose. Notwithstanding Section 11135 of the Government Code or any other provision of law, nothing in this section shall be construed to preclude a provider of emergency shelter or transitional housing from restricting occupancy on the basis of sex or, in the case of an emergency shelter or transitional housing offered exclusively to persons 24 years of age or younger, on the basis of age. However, in the case of families, providers of emergency shelter or transitional housing shall provide, to the greatest extent feasible, adequate facilities within their range of services so that all members of a family may be housed together, regardless of age and gender.

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

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

