

AMENDED IN ASSEMBLY JUNE 1, 2009

AMENDED IN ASSEMBLY APRIL 16, 2009

AMENDED IN ASSEMBLY MARCH 31, 2009

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 1177

Introduced by Assembly Members Fong and Hill
(Coauthors: Assembly Members Blumenfield, Chesbro, Fuentes,
Jones, and Portantino)
(Coauthors: Senators DeSaulnier and Lowenthal)

February 27, 2009

An act to add Chapter 7 (commencing with Section 8260) to Division 8 of the Welfare and Institutions Code, relating to homelessness.

LEGISLATIVE COUNSEL'S DIGEST

AB 1177, as amended, Fong. Homelessness: Interagency Council on Homelessness.

Under existing law, several agencies have prescribed responsibilities relating to homeless persons.

This bill would, among other things, create the California Interagency Council on Homelessness, composed of specified members, to construct cross-agency and community cooperation in responding to homelessness, use a more efficient and supportive method in implementing evidence-based approaches to address homelessness, and, to the extent possible, plan to end homelessness in the state. This bill would also require the council to submit its reports, not less than annually, to specified committees of the Legislature and to perform other duties as prescribed.

Vote: majority. 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) California has the highest rate of homelessness and the
4 highest ratio of homeless people per resident, with 360,000 people
5 sleeping on the streets or in shelters on any given night.
- 6 (b) Homelessness is traumatic for those who suffer it, often
7 leading to separated families, exacerbation of health conditions, a
8 rise in avoidable emergency room use, social and academic delays
9 among children, and greater likelihood of incarceration.
- 10 (c) Many people who lack permanent shelter and the ability to
11 access regular support ricochet through separate and expensive
12 public systems: overburdened corrections systems, overcrowded
13 hospital emergency rooms, mental health programs, substance
14 abuse treatment and detox facilities, shelters, and emergency
15 housing. As a result, people experiencing chronic homelessness
16 use a disproportionate share of state and local services.
- 17 (d) Innovative approaches across the nation and within
18 California show promise for reducing homelessness and the
19 resulting impact on state services.
- 20 (e) Changing the system and reducing homelessness requires
21 coordination and cooperation among federal, state, and local
22 governments, as well as private sector organizations.
- 23 (f) Creation of a statewide coordinating council is an important
24 and effective tool in supporting initiatives to end homelessness in
25 California.
- 26 (g) Creation of a statewide coordinating council would stem
27 avoidable costs of maintaining—~~homelessness~~ *the number of*
28 *homeless persons* and would, therefore, result in reducing avoidable
29 costs to multiple programs.
- 30 (h) Homelessness affects multiple systems in California,
31 including housing, mental health and substance abuse, education,
32 corrections, foster care, health care, and veterans services. Though
33 most other states have adopted a plan to end homelessness because
34 of the cost impact on all of these systems, California has not crafted

1 a similar plan. A codified, structured interagency council on
2 homelessness would help fill this gap.

3 (i) In November 2005, Governor Schwarzenegger created the
4 Governor's Homeless Initiative, which included plans to form an
5 interagency coordinating council to reduce homelessness. The
6 Business, Transportation and Housing Agency's 2005–10
7 Consolidated Plan further indicates the importance of an
8 interagency council on homelessness. Despite these intentions, a
9 council has not met regularly or publicly since the Governor
10 adopted his Homeless Initiative.

11 (j) California must give priority to developing consolidated,
12 coordinated, and cooperative approaches to issues of homelessness.

13 (k) Working within current costs, a revitalized Interagency
14 Council on Homelessness will reduce duplication of efforts and
15 the costs of homelessness and will redirect resources to more
16 effective approaches, developing a more integrated system and
17 eliminating fragmentation.

18 SEC. 2. Chapter 7 (commencing with Section 8260) is added
19 to Division 8 of the Welfare and Institutions Code, to read:

20
21 CHAPTER 7. CALIFORNIA INTERAGENCY COUNCIL ON
22 HOMELESSNESS
23

24 8260. For purposes of this chapter, the following definitions
25 shall apply:

26 (a) "At risk of homelessness" means a history of homelessness
27 and an income of 30 percent or below the area median income.

28 (b) "Council" means the California Interagency Council on
29 Homelessness.

30 (c) "Homelessness" means a condition where a person lacks a
31 fixed, regular, or adequate nighttime residence or who has a
32 primary nighttime residence that is either a supervised publicly or
33 privately operated shelter designed to provide temporary living
34 accommodations or a public or private place not designed for, or
35 ordinarily used as, a regular sleeping accommodation for a human
36 being. Homelessness also applies to a person who is exiting an
37 institutional setting and is at risk of homelessness, or is living in
38 transitional or temporary housing.

39 (d) "Stakeholder organization" means a nonprofit or faith-based
40 organization whose primary mission is to prevent or end

1 homelessness, to provide services or health care to people who are
2 homeless, or to create housing for people who are homeless.

3 8261. (a) There is hereby created in state government the
4 California Interagency Council on Homelessness with a mission
5 to construct cross-agency and community cooperation in
6 responding to homelessness, to use a more efficient and supportive
7 method in implementing evidence-based approaches to address
8 homelessness, and, to the extent possible, plan to end homelessness
9 in the state.

10 (b) *The Governor shall designate a lead agency that shall seek*
11 *all available federal funding, including, but not limited to,*
12 *McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301*
13 *et seq.) grant and technical assistance funds, for purposes of*
14 *funding the council and its activities.*

15 ~~(b)~~

16 (c) Membership of the council shall include all of the following:

17 (1) At least one representative with decisionmaking authority
18 from each of the following:

- 19 (A) The State Department of Alcohol and Drug Programs.
- 20 (B) The Department of Community Services and Development.
- 21 (C) The Department of Corrections and Rehabilitation.
- 22 (D) The State Department of Education.
- 23 (E) The State Department of Health Care Services.
- 24 (F) The Department of Housing and Community Development.
- 25 (G) The California Housing Finance Agency.
- 26 (H) The State Department of Mental Health.
- 27 (I) The State Department of Social Services.
- 28 (J) The California Tax Credit Allocation Committee.
- 29 (K) The Department of Veterans Affairs.

30 (2) A representative of the Governor's office.

31 (3) A representative from the Senate, to be appointed by the
32 President pro Tempore of the Senate, or his or her designee.

33 (4) A representative from the Assembly, to be appointed by the
34 Speaker of the Assembly, or his or her designee.

35 (5) Two members of the philanthropic community from
36 organizations that are active in homelessness issues, to be appointed
37 by the Governor.

38 (6) At least five representatives of local and regional
39 jurisdictions, to be appointed by the Governor, which shall include
40 each of the following:

1 (A) At least one representative of local law enforcement or an
2 organization representing the interests of local law enforcement.

3 (B) At least one representative of county government or an
4 organization representing the interests of county government.

5 (C) At least one representative of city government or an
6 organization representing the interests of city government.

7 (7) Representatives of at least two stakeholder organizations,
8 to be appointed by the Governor.

9 (8) At least two people who have experienced homelessness,
10 to be appointed by the Governor.

11 ~~(e)~~

12 (d) The Governor shall appoint a chairperson and
13 vice-chairperson from among the members of the council. Within
14 current costs, the council may establish working groups, task
15 forces, or other structures from within its membership or with
16 outside members to assist it in its work. Working groups, task
17 forces, or other structures established by the council shall determine
18 their own meeting schedules.

19 ~~(d)~~

20 (e) All members of the council shall serve without compensation,
21 unless private, philanthropic or other nonstate funding resources
22 are available, or unless the Legislature makes a future
23 appropriation, to operate, manage, or conduct the business of the
24 council.

25 ~~(e)~~

26 (f) All reports or documents that the council creates shall be
27 submitted, not less than annually, to the Senate Committee on
28 Transportation and Housing, the Senate Committee on Human
29 Services, the Assembly Committee on Housing and Community
30 Development, and the Assembly Committee on Human Services.

31 8262. (a) The council shall do all of the following:

32 (1) Hold public meetings at least once every quarter.

33 (2) Act as the lead for coordinating and planning the state's
34 response to homelessness, including, but not limited to,
35 coordinating funding that the state receives from the federal
36 government for the prevention or reduction of homelessness or for
37 services delivered to people who are homeless or at risk of
38 homelessness.

1 (3) Streamline the administration of programs across agencies
2 and jurisdictions to reduce duplication, consolidate availability of
3 services, and ease clients' access to services.

4 (4) Streamline funding of homelessness programs to leverage
5 existing resources more effectively.

6 (5) Solicit input and suggestions from stakeholders, the business
7 community, the concerned public, and other governmental agencies
8 on the most effective strategies to address homelessness.

9 (6) Identify best practices from other states in combating
10 homelessness.

11 (7) Create a plan for council actions by the end of the first year
12 after the initial meeting, with annual review, to implement
13 recommendations for policy, regulatory, and resource changes
14 needed to accomplish objectives, as well as each agency's
15 responsibilities on the council.

16 (8) Within current costs, or provided funding is available for
17 related costs, publish a plan to reduce or end homelessness within
18 three years.

19 (9) Collaborate on planning for discharge of people likely to
20 become homeless after leaving institutions, including, but not
21 limited to, prisons, crisis health care facilities, and foster care.

22 (10) Gather needs assessments from local jurisdictions that are
23 currently required to submit needs assessments to a state agency,
24 including, but not limited to, city housing elements and community
25 continuation of care.

26 (11) Not later than January 1, 2015, create a centralized database
27 on homelessness, provided federal funds or other nonstate moneys
28 are available for that purpose.

29 (12) Not later than January 1, 2017, assist in the coordination
30 of a statewide continuum of care, provided funds are available.

31 (13) Identify private and public funding partnerships.

32 (b) The council may engage or accept the services of agency
33 personnel, contract with nonprofit organizations, or employ council
34 staff to operate, manage, or conduct the business of the council,
35 provided that private, philanthropic, or other nonstate funding
36 resources are available for that purpose, or the Legislature makes
37 a future appropriation for that purpose.

38 8263. Except as otherwise provided in this chapter, the council
39 shall operate within the current budget of each department and
40 agency represented. Each department and agency shall cooperate

- 1 with the council and furnish it with information and assistance that
- 2 is necessary or useful to further the purposes of this chapter.

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