

AMENDED IN SENATE AUGUST 16, 2016

AMENDED IN SENATE AUGUST 9, 2016

AMENDED IN SENATE AUGUST 8, 2016

AMENDED IN ASSEMBLY APRIL 14, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1628

Introduced by Committee on Budget (Assembly Members Ting (Chair), Bloom, Bonta, Campos, Chiu, Cooper, Gordon, Holden, Irwin, McCarty, Mullin, Nazarian, O'Donnell, Rodriguez, Thurmond, and Williams)

January 7, 2016

An act to add Section 15463 to the Government Code, and to amend Sections 5849.1, 5849.2, 5849.3, 5849.4, 5849.5, 5849.7, 5849.8, 5849.9, 5849.11, 5849.14, 5890, and 5891 of, to add Section 5849.35 to, and to repeal and add Section 5849.13 of, the Welfare and Institutions Code, relating to mental health services, and making an appropriation therefor, to take effect immediately, bill related to the budget.

LEGISLATIVE COUNSEL'S DIGEST

AB 1628, as amended, Committee on Budget. No Place Like Home Program: financing.

(1) The Mental Health Services Act (MHSA), an initiative measure enacted by the voters as Proposition 63 at the November 2, 2004, statewide general election, imposes a 1% tax on that portion of a taxpayer's taxable income that exceeds \$1,000,000 and requires that the revenue from that tax be deposited in the Mental Health Services Fund to fund various county mental health programs. The MHSA

authorizes the Legislature to amend its provisions by a ~~2/3~~ ^{2/3} vote, provided that the amendment is consistent with and furthers the intent of the act.

Existing law, known as the No Place Like Home Program, requires the Department of Housing and Community Development to award \$2,000,000,000 among counties to finance capital costs, including, but not limited to, acquisition, design, construction, rehabilitation, or preservation, and to capitalize operating reserves, of permanent supportive housing for the target population, as specified. Existing law requires the department to distribute \$1,800,000,000 through a competitive program and to allocate \$200,000,000 among all counties within this state on an “over-the-counter” population basis.

The bill would authorize the California Health Facilities Financing Authority and the department to, among other things, enter into contracts to provide services pursuant to the No Place Like Home Program related to permanent supportive housing. The bill would also authorize the authority to issue taxable or tax-exempt revenue bonds in an amount not to exceed \$2,000,000,000 for these purposes and to make secured or unsecured loans to the department in connection with financing permanent supportive housing pursuant to the No Place Like Home Program. The bill would require that the dollar limit on amounts distributed under the No Place Like Home Program be based on the principal amount of bonds issued by the authority and loaned to the department.

The bill would additionally authorize the use of moneys in the Mental Health Services Fund for the purposes of the No Place Like Home Program. The bill would also establish and continuously appropriate the Supportive Housing Program Subaccount in the Mental Health Services Fund. The bill would require the Controller, *no later than the last day of each month and prior to any ~~transfer, deposit, transfer~~ or expenditure from the fund for any other ~~purpose, purpose for the following month~~*, to transfer from the Mental Health Services Fund to the Supportive Housing Program Subaccount an amount necessary to cover the costs the authority is required to pay to the department pursuant to an above-described service contract, as determined by the authority but not to exceed an aggregate amount of \$140,000,000 per year. The bill would prohibit moneys in the Supportive Housing Program Subaccount from being loaned to the General Fund pursuant to specified statutes.

The bill would exempt service contracts between the department and the authority pursuant to these provisions from specified public contracting laws. The bill would also exempt loan agreements between the department and the authority and revenue bonds issued by the authority from any other law applicable to the execution of those agreements or issuance of those bonds, including the California Environmental Quality Act.

(2) Existing law establishes the No Place Like Home Fund and continuously appropriates the moneys in this fund to the Department of Housing and Community Development for the purposes of the No Place Like Home Program. Existing law requires the deposit into the fund of, among other moneys, any proceeds from the issuance of bonds by the Treasurer.

This bill would instead require the department to deposit into the fund the proceeds of loans derived from the issuance of bonds under this bill by the California Health Facilities Financing Authority. The bill would additionally continuously appropriate moneys in the fund to the Treasurer and the authority for purposes of the No Place Like Home Program.

(3) Existing law requires counties to annually report specified information to the Department of Housing and Community Development on activities funded under the No Place Like Home Program, including information on the funded supportive housing development. Existing law also requires the department to report specified information on the program to the Legislature by December 31 of each year, commencing with the year after the first full year in which the program is in effect.

This bill would require the department to monitor *county* compliance ~~by counties with the grant and with applicable program regulations,~~ loan agreements and regulatory agreements ~~pursuant to which funds are distributed pursuant to the competitive portion of the No Place Like Home Program~~ *and any agreements related to the program that designate the department as a 3rd party beneficiary,* and enforce those agreements to the extent necessary and desirable in order to provide, to the greatest degree possible, the successful provision of permanent supportive housing. The bill would require the department to submit a report to the California Health Facilities Financing Authority by December 31 of each year, commencing with the year after the first full year in which the program is in effect, that contains specified information about the counties participating in the program and the

services that have been provided pursuant to any service contracts between the department and the authority, as described above.

(4) Existing law establishes a procedure by which a public agency may bring an action in the superior court to determine the validity of any matter authorized by other law. Existing law authorizes an action under this procedure to determine the legality of any action by the Department of Housing and Community Development related to the No Place Like Home Program. Existing law requires the department to issue its first request for proposal for the competitive program no later than 180 days, and to make its first allocation of “over-the-counter” funds within 60 days, after the deadline for appeals under the validation procedure.

This bill would recast this authorization to instead authorize an action to determine the validity of any service contract or loan agreement between the department and the California Health Facilities Financing Authority, as described above, in accordance with specified provisions governing actions to determine the validity of bonds, warrants, contracts, obligations, or evidences of indebtedness. The bill would instead require the department to issue its first request for proposal no later than 180 days, and to make its first allocation of “over-the-counter” funds as soon as reasonably practical, but no later than 150 days, after the effective date of a final judgment with no further opportunity for appeals, in any court proceeding affirming the validity of the service contracts between the department and the authority and any bonds issued by the authority.

(5) Existing law authorizes the Department of Finance to authorize a loan from the General Fund to the No Place Like Home Fund for cashflow purposes in an amount not to exceed \$1,000,000. Existing law requires that a loan comply with certain requirements, including that the purpose of the loan is to allow the department to begin implementation activities related to the No Place Like Home Program, including drafting program guidelines and regulations.

This bill would instead authorize the Department of Finance to authorize one or more loans from the General Fund to the No Place Like Home Fund in an aggregate amount not to exceed \$2,000,000. The bill would additionally authorize loans for the purpose of allowing the Department of Housing and Community Development, the California Health Facilities Financing Authority, and the Treasurer to implement the above-described provisions pertaining to service contracts and loan

agreements between the department and the authority and revenue bonds issued by the authority.

(6) Existing law makes various findings and declarations regarding the No Place Like Home Program.

This bill would make additional findings and declarations pertaining to the financing and implementation of the No Place Like Home Program. The bill would also make various technical and conforming changes to the No Place Like Home Program.

(7) This bill would declare that its provisions further the intent of the MHSA.

(8) This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

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

1 SECTION 1. Section 15463 is added to the Government Code,
2 to read:

3 15463. (a) For purposes of this section, the following
4 definitions shall apply:

5 (1) “No Place Like Home Program” has the same meaning as
6 “program” as defined in Section 5849.2 of the Welfare and
7 Institutions Code.

8 (2) “No Place Like Home Fund” means the No Place Like Home
9 Fund established pursuant to Section 5849.4 of the Welfare and
10 Institutions Code.

11 (3) “Permanent supportive housing” has the same meaning as
12 “supportive housing” as defined in Section 50675.14 of the Health
13 and Safety Code, except that “permanent supportive housing” shall
14 include associated facilities if used to provide services to housing
15 residents.

16 (b) The authority may issue taxable or tax-exempt revenue bonds
17 in an amount not to exceed two billion dollars (\$2,000,000,000),
18 exclusive of refunding bonds but including any net premium
19 derived from the sale of the bonds, pursuant to Sections 15441 to
20 15450, inclusive, for the purpose of financing permanent supportive
21 housing pursuant to the No Place Like Home Program ~~or to refund~~
22 ~~bonds previously issued pursuant to this section. and through loans~~
23 *under subdivision (d).* The authority may also utilize bond proceeds

1 to fund necessary ~~reserves~~, *reserves for principal and interest,*
 2 *capitalized interest, credit enhancement or liquidity costs, or costs*
 3 ~~of issuance.~~ *issuance, administrative expenses under Section 5849.4*
 4 *of the Welfare and Institutions Code, and to reimburse loans under*
 5 *Section 5849.14 of the Welfare and Institutions Code.*

6 (c) *The authority may provide for the issuance of bonds of the*
 7 *authority for the purpose of redeeming, refunding, or retiring any*
 8 *bonds or any series or issue of bonds then outstanding issued under*
 9 *subdivision (b), including the payment of any redemption premium*
 10 *thereon and any interest accrued or to accrue to the date of*
 11 *redemption, purchase, or maturity of the bonds. Subdivisions (b)*
 12 *and (c) of Section 15446 apply to, and in connection with, bonds*
 13 *issued under this subdivision. Sections 15441 to 15445, inclusive,*
 14 *and Sections 15447 to 15450, inclusive, apply to, and in connection*
 15 *with, bonds issued under this subdivision in the same manner and*
 16 *to the same extent as bonds issued under subdivision (b).*

17 ~~(e)~~

18 (d) *The authority may make secured or unsecured loans to the*
 19 *Department of Housing and Community Development in*
 20 *connection with financing permanent supportive housing pursuant*
 21 *to the No Place Like Home Program or to refund bonds previously*
 22 *issued pursuant to this section, in accordance with an agreement*
 23 *between the authority and the Department of Housing and*
 24 *Community Development. Loan proceeds may also be used to*
 25 *fund reserves for principal and interest, capitalized interest, credit*
 26 *enhancement and liquidity costs, expenses of funding, financing,*
 27 *and refinancing, administrative expenses under Section 5849.4 of*
 28 *the Welfare and Institutions Code, and to reimburse loans under*
 29 *Section 5849.14 of the Welfare and Institutions Code.*

30 ~~(d) The~~

31 (e) *Each of the authority and the Department of Housing and*
 32 *Community Development may enter into any agreement for credit*
 33 *enhancement or liquidity, execute any instruments, and do any*
 34 *other acts it deems necessary, convenient, or desirable in*
 35 *connection with revenue bonds issued pursuant to this section or*
 36 *carry out any power expressly granted pursuant to this section.*

37 ~~(e)~~

38 (f) (1) *This section provides a complete, additional, and*
 39 *alternative method for performing the acts authorized by this*
 40 *section and shall be construed as supplemental and additional to*

1 powers conferred by other laws; provided, however, that the
2 issuance of the bonds and refunding bonds and the execution of
3 any agreements under this section are not subject to, and need not
4 comply with, the requirements of any other law applicable to the
5 issuance of those bonds or refunding bonds and the execution of
6 those agreements, including, but not limited to, the California
7 Environmental Quality Act (Division 13 (commencing with Section
8 21000) of the Public Resources Code).

9 (2) Except as provided in paragraph (1), ~~the funding or financing~~
10 ~~of permanent supportive housing pursuant to the No Place Like~~
11 ~~Home Program pursuant to~~ *under* this section shall not exempt the
12 permanent supportive housing from the requirements of any other
13 law otherwise applicable to the ~~project~~. *permanent supportive*
14 *housing*.

15 SEC. 2. Section 5849.1 of the Welfare and Institutions Code
16 is amended to read:

17 5849.1. (a) The Legislature finds and declares that this part is
18 consistent with and furthers the purposes of the Mental Health
19 Services Act, enacted by Proposition 63 at the November 2, 2004,
20 statewide general election, within the meaning of Section 18 of
21 that measure.

22 (b) The Legislature further finds and declares all of the
23 following:

24 (1) Housing is a key factor for stabilization and recovery to
25 occur and results in improved outcomes for individuals living with
26 a mental illness.

27 (2) Untreated mental illness can increase the risk of
28 homelessness, especially for single adults.

29 (3) California has the nation's largest homeless population that
30 is disproportionally comprised of women with children, veterans,
31 and the chronically homeless.

32 (4) California has the largest number of homeless veterans in
33 the United States at 24 percent of the total population in our nation.
34 Fifty percent of California's veterans live with serious mental
35 illness and 70 percent have a substance use disorder.

36 (5) Fifty percent of mothers experiencing homelessness have
37 experienced a major depressive episode since becoming homeless
38 and 36 percent of these mothers live with post-traumatic stress
39 disorder and 41 percent have a substance use disorder.

1 (6) Ninety-three percent of supportive housing tenants who live
2 with mental illness and substance use disorders voluntarily
3 participated in the services offered.

4 (7) Adults who receive 2 years of “whatever-it-takes,” or Full
5 Service Partnership services, experience a 68 percent reduction in
6 homelessness.

7 (8) For every dollar of bond funds invested in permanent
8 supportive housing, the state and local governments can leverage
9 a significant amount of additional dollars through tax credits,
10 Medicaid health services funding, and other housing development
11 funds.

12 (9) Tenants of permanent supportive housing reduced their visits
13 to the emergency department by 56 percent, and their hospital
14 admissions by 45 percent.

15 (10) The cost in public services for a chronically homeless
16 Californian ranges from \$60,000 to \$100,000 annually. When
17 housed, these costs are cut in half and some reports show reductions
18 in cost of more than 70 percent, including potentially less
19 involvement with the health and criminal justice systems.

20 (11) Californians have identified homelessness as their top tier
21 priority; this measure seeks to address the needs of the most
22 vulnerable people within this population.

23 (12) Having counties provide mental health programming and
24 services is a benefit to the state.

25 (13) The Department of Housing and Community Development
26 is the state entity with sufficient expertise to implement and oversee
27 a grant or loan program for permanent supportive housing of the
28 target population.

29 (14) The California Health Facilities Financing Authority is
30 authorized by law to issue bonds and to consult with the Mental
31 Health Services Oversight and Accountability Commission and
32 the *State* Department of Health Care Services concerning the
33 implementation of a grant or loan program for California counties
34 to support the development of programs that increase access to,
35 and capacity for, crisis mental health services. It is therefore
36 appropriate for the authority to issue bonds and contract for services
37 with the Department of Housing and Community Development to
38 provide grants or loans to California counties for permanent
39 supportive housing for the target population.

1 (15) Use of bond funding will accelerate the availability of
2 funding for the grant or loan program to provide permanent
3 supportive housing for the target population as compared to relying
4 on annual allocations from the Mental Health Services Fund and
5 better allow counties to provide permanent supportive housing for
6 homeless individuals living with mental illness.

7 (16) The findings and declarations set forth in subdivision (c)
8 of Section 5849.35 are hereby incorporated herein.

9 SEC. 3. Section 5849.2 of the Welfare and Institutions Code
10 is amended to read:

11 5849.2. As used in this part, the following definitions shall
12 apply:

13 (a) “At risk of chronic homelessness” includes, but is not limited
14 to, persons who are at high risk of long-term or intermittent
15 homelessness, including persons with mental illness exiting
16 institutionalized settings, including, but not limited to, jail and
17 mental health facilities, who were homeless prior to admission,
18 transition age youth experiencing homelessness or with significant
19 barriers to housing stability, and others, as defined in program
20 guidelines.

21 (b) “Authority” means the California Health Facilities Financing
22 Authority established pursuant to Part 7.2 (commencing with
23 Section 15430) of Division 3 of Title 2 of the Government Code.

24 (c) “Chronically homeless” has the same meaning as defined
25 in Section 578.3 of Title 24 of the Code of Federal Regulations,
26 as that section read on May 1, 2016.

27 (d) “Commission” means the Mental Health Services Oversight
28 and Accountability Commission established by Section 5845.

29 (e) “Committee” means the No Place Like Home Program
30 Advisory Committee established pursuant to Section 5849.3.

31 (f) “County” includes, but is not limited to, a city and county,
32 and a city receiving funds pursuant to Section 5701.5.

33 (g) “Department” means the Department of Housing and
34 Community Development.

35 (h) “Development sponsor” has the same meaning as “sponsor”
36 as defined in Section 50675.2 of the Health and Safety Code.

37 (i) “Fund” means the No Place Like Home Fund established
38 pursuant to Section 5849.4.

1 (j) “Homeless” has the same meaning as defined in Section
2 578.3 of Title 24 of the Code of Federal Regulations, as that section
3 read on May 1, 2016.

4 (k) “Permanent supportive housing” has the same meaning as
5 “supportive housing,” as defined in Section 50675.14 of the Health
6 and Safety Code, except that “permanent supportive housing” shall
7 include associated facilities if used to provide services to housing
8 residents.

9 (l) “Program” means the process for awarding funds and
10 distributing moneys to applicants established in Sections 5849.7,
11 5849.8, and 5849.9 and the ongoing monitoring and enforcement
12 of the applicants’ activities pursuant to ~~Section~~ *Sections* 5849.8,
13 5849.9, and 5849.11.

14 (1) “Competitive program” means that portion of the program
15 established by Section 5849.8.

16 (2) “Distribution program” means that portion of the program
17 described in Section 5849.9.

18 (m) “Target population” means individuals or households as
19 provided in Section 5600.3 who are homeless, chronically
20 homeless, or at risk of chronic homelessness.

21 SEC. 4. Section 5849.3 of the Welfare and Institutions Code
22 is amended to read:

23 5849.3. (a) There is hereby established the No Place Like
24 Home Program Advisory Committee. Membership on the
25 committee shall be as follows:

26 (1) The Director of Housing and Community Development, or
27 his or her designee, who shall serve as the chairperson of the
28 committee.

29 (2) The Director of Health Care Services, or his or her designee,
30 and an additional representative.

31 (3) The Secretary of Veterans Affairs, or his or her designee.

32 (4) The Director of Social Services, or his or her designee.

33 (5) The Treasurer, or his or her designee.

34 (6) ~~The chair~~ *Chair* of the Mental Health Services Oversight
35 and Accountability Commission, or his or her designee.

36 (7) A chief administrative officer of a small county or a member
37 of a county board of supervisors of a small county, as provided by
38 subdivision (d) of Section 5849.6, to be appointed by the Governor.

1 (8) A chief administrative officer of a large county or a member
2 of a county board of supervisors of a large county, as provided by
3 subdivision (b) of Section 5849.6, to be appointed by the Governor.

4 (9) A director of a county behavioral health department, to be
5 appointed by the Governor.

6 (10) An administrative officer of a city, to be appointed by the
7 Governor.

8 (11) A representative of an affordable housing organization, to
9 be appointed by the Speaker of the Assembly.

10 (12) A resident of supportive housing, to be appointed by the
11 Governor.

12 (13) A representative of a community mental health
13 organization, to be appointed by the Senate ~~Rules Committee~~
14 *Committee on Rules*.

15 (14) A representative of a local or regional continuum of care
16 organization that coordinates homelessness funding, to be
17 appointed by the Governor.

18 (b) The committee shall do all of the following:

19 (1) Assist and advise the department in the implementation of
20 the program.

21 (2) Review and make recommendations on the department's
22 guidelines.

23 (3) Review the department's progress in distributing moneys
24 pursuant to this part.

25 (4) Provide advice and guidance more broadly on statewide
26 homelessness issues.

27 SEC. 5. Section 5849.35 is added to the Welfare and
28 Institutions Code, to read:

29 5849.35. (a) The authority may do all of the following:

30 (1) Consult with the commission and the *State* Department of
31 Health Care Services concerning the implementation of the No
32 Place Like Home Program, including the review of annual reports
33 provided to the authority by the department pursuant to Section
34 5849.11.

35 (2) Enter into one or more contracts with the department for the
36 department to provide, and the authority to pay the department for
37 providing, services described in Sections ~~5849.7~~, 5849.7, 5849.8,
38 and 5849.9, related to permanent supportive housing for the target
39 population. Prior to entering into any contract pursuant to this
40 paragraph, the executive director of the authority shall transmit *to*

1 ~~the commission~~ a copy of the contract ~~approved by the authority~~
 2 ~~to the commission.~~ *in substantially final form.* The contract shall
 3 be deemed approved by the commission unless it acts within 10
 4 days to disapprove the contract.

5 (3) On or before June 15 and December 15 of each year, the
 6 authority shall ~~notify~~ *certify to* the Controller ~~of~~ the amounts the
 7 authority is required to pay as provided in Section 5890 for the
 8 following six month period to the department pursuant to any
 9 service contract entered into pursuant to paragraph (2).

10 (b) The department may do all of the following:

11 (1) Enter into one or more contracts with the authority to provide
 12 services described in ~~Section~~ *Sections* 5849.7, 5849.8, and 5849.9,
 13 related to permanent supportive housing for the target population.
 14 Payments received by the department under any service contract
 15 authorized by this paragraph shall be used, prior to any other
 16 allocation or distribution, to repay loans from the authority pursuant
 17 to Section 15463 of the Government Code.

18 (2) Enter into one or more loan agreements with the authority
 19 as security for the repayment of the revenue bonds issued by the
 20 authority pursuant to Section 15463 of the Government Code. The
 21 department shall deposit the proceeds of these loans, excluding
 22 any *refinancing* loans ~~relating to refunding to redeem, refund, or~~
 23 ~~retire~~ bonds, into the fund. The department's ~~obligation to repay~~
 24 ~~obligations to make payments under these loans~~ *loan agreements*
 25 shall be limited ~~to obligations payable solely from~~ amounts
 26 received pursuant to its service contracts with the authority.

27 (3) The department may *pledge and* assign its right to receive
 28 *all or a portion of the* payments under the service contracts entered
 29 into pursuant to paragraph (1) directly to the authority or its bond
 30 ~~trustee, which may be the Treasurer.~~ *trustee for the payment of*
 31 *principal, premiums, if any, and interest under any loan agreement*
 32 *authorized by paragraph (2).*

33 (c) The Legislature hereby finds and declares both of the
 34 following:

35 (1) The consideration to be paid by the authority to the
 36 department for the services provided pursuant to the contracts
 37 authorized by paragraph (2) of subdivision (a) and paragraph (1)
 38 of subdivision (b) is fair and reasonable and in the public interest.

39 (2) The service contracts and payments made by the authority
 40 to the department pursuant to a service contract authorized by

1 paragraph (2) of subdivision (a) and paragraph (1) of subdivision
2 (b) and the loan agreements and loan repayments made by the
3 department to the authority pursuant to a loan agreement authorized
4 by paragraph (2) of subdivision (b) shall not constitute a debt or
5 liability, or a pledge of the faith and credit, of the state or any
6 political subdivision.

7 (d) The state hereby covenants with the holders from time to
8 time of any bonds issued by the authority pursuant to Section 15463
9 of the Government Code that it will not alter, amend, or restrict
10 the provisions of this section, subdivision (f) of Section 5890, or
11 subdivision (b) of Section 5891 in any manner adverse to the
12 interests of those bondholders so long as any of those bonds remain
13 outstanding. The authority may include this covenant in the
14 resolution, indenture, or other documents governing the bonds.

15 (e) Agreements under this section are not subject to, and need
16 not comply with, the requirements of any other law applicable to
17 the execution of those agreements, including, but not limited to,
18 the California Environmental Quality Act (Division 13
19 (commencing with Section 21000) of the Public Resources Code).

20 (f) Part 2 (commencing with Section 10290) of Division 2 of
21 the Public Contract Code shall not apply to any contract entered
22 into between the authority and the department under this section.

23 SEC. 6. Section 5849.4 of the Welfare and Institutions Code
24 is amended to read:

25 5849.4. (a) The No Place Like Home Fund is hereby created
26 within the State Treasury and, notwithstanding Section 13340 of
27 the Government Code, continuously appropriated to the
28 department, the authority, and the Treasurer for the purposes of
29 this part. *Accounts and subaccounts may be created within the*
30 *fund as needed.* Up to ~~five~~ 5 percent of the amount deposited in
31 the fund may be used for administrative expenses in implementing
32 this part.

33 (b) There shall be paid into the fund the following:

34 (1) Any moneys from the receipt of loan proceeds by the
35 department derived from the issuance of bonds by the authority
36 ~~for the purpose of implementing the program. under subdivision~~
37 *(b) of Section 15463 of the Government Code.*

38 (2) Any other federal or state grant, or from any private donation
39 or grant, for the purposes of this part.

1 (3) Any interest payment, loan repayments, or other return of
2 funds.

3 SEC. 7. Section 5849.5 of the Welfare and Institutions Code
4 is amended to read:

5 5849.5. The department may adopt guidelines or regulations,
6 including emergency regulations to expedite the award of moneys
7 pursuant to this part, in consultation with the California State
8 Association of Counties and other stakeholders, as necessary to
9 exercise the powers and perform the duties conferred or imposed
10 on it by this part. Any guideline or regulation adopted pursuant to
11 this section shall not be subject to the requirements of the
12 Administrative Procedure Act (Chapter 3.5 (commencing with
13 Section 11340) of Part 1 of Division 3 of Title 2 of the Government
14 Code). The department shall consult with key stakeholders,
15 including, but not limited to, counties.

16 SEC. 8. Section 5849.7 of the Welfare and Institutions Code
17 is amended to read:

18 5849.7. (a) In order to finance permanent supportive housing
19 for the target population, the department may enter into one or
20 more contracts with the authority as authorized pursuant to Section
21 5849.35 to provide services for the benefit of the people of the
22 state as described in this section and Sections 5849.8 and 5849.9.
23 The department shall use its best efforts to provide or cause to be
24 provided permanent supportive housing for the target population
25 in consideration for service contract payments to be received from
26 the authority.

27 (b) ~~In furtherance of its service obligations under~~ Under any
28 service contract with the authority, the department shall administer
29 a competitive program, pursuant to Section 5849.8, and distribution
30 program, pursuant to Section 5849.9, for awarding a total amount
31 not to exceed two billion dollars (\$2,000,000,000) among counties
32 to finance capital costs including, but not limited to, acquisition,
33 design, construction, rehabilitation, or preservation, and to
34 capitalize operating reserves, of permanent supportive housing for
35 the target population. For purposes of this section and ~~Section~~
36 ~~Sections~~ 5849.8 and 5849.9, measurement of the dollar limit on
37 amounts to be distributed by the department shall be based on the
38 principal amount of bonds issued by the authority and loaned to
39 the department, exclusive of any refunding bonds but including
40 any net premium derived from the sale of the bonds, for deposit

1 in the fund. There shall be no dollar limit on the distribution of
2 moneys in the fund derived from the sources described in
3 paragraphs (2) and (3) of subdivision (b) of Section 5849.4.

4 (c) For the competitive program established by Section 5849.8,
5 the following shall apply:

6 (1) A county may apply as the sole applicant if it is the
7 development sponsor or jointly with a separate entity as
8 development sponsor.

9 (2) Funded developments shall integrate the target population
10 with the general public.

11 (3) Funded developments shall utilize low barrier tenant
12 selection practices that prioritize vulnerable populations and offer
13 flexible, voluntary, and individualized supportive services.

14 (4) The guidelines may provide for alternative housing models,
15 such as shared housing models of fewer than five units. Integration
16 requirements may be modified in shared housing.

17 (5) Funds shall be offered as deferred payment loans to finance
18 capital costs including acquisition, design, construction,
19 rehabilitation, or preservation, and to capitalize operating reserves
20 of, permanent supportive housing for the target population.

21 (6) The department shall adopt guidelines establishing income
22 and rent standards.

23 SEC. 9. Section 5849.8 of the Welfare and Institutions Code
24 is amended to read:

25 5849.8. (a) ~~In furtherance of the department's obligations to~~
26 ~~the authority under~~ *Under* any service contract entered into
27 pursuant to Section 5849.35, the department may allocate an
28 amount not to exceed one billion eight hundred million dollars
29 (\$1,800,000,000) from the fund for the purposes of the competitive
30 program described in this subdivision and the alternative process
31 described in subdivision (b). The department shall develop a
32 competitive application process for the purpose of awarding
33 moneys pursuant to this section. In considering applications, the
34 department shall do all of the following:

35 (1) Restrict eligibility to applicants that meet the following
36 minimum criteria:

37 (A) The county commits to provide mental health supportive
38 services and to coordinate the provision of or referral to other
39 services, including, but not limited to, substance use treatment
40 services, to the tenants of the supportive housing development for

1 at least 20 years. Services shall be provided onsite at the supportive
2 housing development or in a location otherwise easily accessible
3 to tenants. The county may use, but is not restricted to using, any
4 of the following available funding sources as allowed by state and
5 federal law:

6 (i) The Local Mental Health Services Fund established pursuant
7 to subdivision (f) of Section 5892.

8 (ii) The Mental Health Account within the Local Health Welfare
9 Trust Fund established pursuant to Section 17600.10.

10 (iii) The Behavioral Health Subaccount within the County Local
11 Revenue Fund 2011 established pursuant to paragraph (4) of
12 subdivision (f) of Section 30025 of the Government Code.

13 (iv) Funds received from other private or public entities.

14 (v) Other county funds.

15 (B) The county has developed a county plan to combat
16 homelessness, which includes a description of homelessness
17 countywide, any special challenges or barriers to serving the target
18 population, county resources applied to address the issue, available
19 community-based resources, an outline of partners and
20 collaborations, and proposed solutions.

21 (C) Meet other threshold requirements including, but not limited
22 to, developer capacity to develop, own, and operate a permanent
23 supportive housing development for the target population,
24 application proposes a financially feasible development with
25 reasonable development costs.

26 (2) The department shall evaluate applications using, at
27 minimum, the following criteria:

28 (A) The extent to which units assisted by the program are
29 restricted to persons who are chronically homeless or at risk of
30 chronic homelessness within the target population.

31 (B) The extent to which funds are leveraged for capital costs.

32 (C) The extent to which projects achieve deeper affordability
33 through the use of non-state project-based rental assistance,
34 operating subsidies, or other funding.

35 (D) Project readiness.

36 (E) The extent to which applicants offer a range of ~~on~~ *onsite*
37 and off-site supportive services to tenants, including mental health
38 services, behavioral health services, primary health, employment,
39 and other tenancy support services.

1 (F) Past history of implementing programs that use
2 evidence-based best practices that have led to the reduction of the
3 number of chronic homeless or at risk of chronic homelessness
4 individuals within the target population.

5 (b) The department may establish an alternative process for
6 allocating funds directly to counties, as calculated in Section
7 5849.6, with at least ~~five~~ 5 percent of the state's homeless
8 population and that demonstrate the capacity to directly administer
9 loan funds for permanent supportive housing serving the target
10 population and the ability to prioritize individuals with mental
11 health supportive needs who are homeless or at risk of chronic
12 homelessness, consistent with this part and as determined by the
13 department. The department shall adopt guidelines establishing
14 the parameters of an alternative process, if any, and requirements
15 for local administration of funds, including, but not limited to,
16 project selection process, eligible use of funds, loan terms, rent
17 and occupancy restrictions, provision of services, and reporting
18 and monitoring requirements. Counties participating in the
19 alternative process shall not be eligible for the competitive process
20 and shall be limited to funds in proportion to their share of the
21 percentage of the statewide homeless population, as calculated by
22 the department in Section 5849.6. Funds not committed to
23 supportive housing developments within two years following award
24 of funds to counties shall be returned to the state for the purposes
25 of the competitive program. The department shall consider the
26 following when selecting participating counties:

27 (1) Demonstrated ability to finance permanent supportive
28 housing with local and federal funds, and monitor requirements
29 for the life of the loan.

30 (2) Past history of delivering supportive services to the target
31 population in housing.

32 (3) Past history of committing project-based vouchers to
33 supportive housing.

34 (4) Ability to prioritize the most vulnerable within the target
35 population through coordinated entry system.

36 (c) The department shall set aside 8 percent of funds offered in
37 Rounds 1 through 4, inclusive, for the competitive program for
38 small counties as provided in subdivision (d) of Section 5849.6.

39 (d) The department shall award funds for the competitive
40 program in at least four rounds as follows:

1 (1) The department shall issue its first request for proposal for
 2 the competitive program no later than 180 days after the effective
 3 date of a final judgment, with no further opportunity for appeals,
 4 in any court proceeding affirming the validity of the contracts
 5 authorized by the authority and the department pursuant to Section
 6 5849.35 and any bonds authorized to be issued by the authority
 7 pursuant to Section 15463 of the Government Code and any
 8 contracts related to those bonds.

9 (2) The second round shall be completed no later than one year
 10 after the completion of the first round.

11 (3) The third round shall be completed no later than one year
 12 after the completion of the second round.

13 (4) The fourth round shall be completed no later than one year
 14 after the completion of the third round.

15 (5) Subsequent rounds shall occur annually thereafter in order
 16 to fully exhaust remaining funds and the department may
 17 discontinue the use of the competitive groupings in Section 5849.6,
 18 the alternative process in subdivision (b) for any funds not awarded
 19 by the county, and the rural set aside funds as set forth in
 20 subdivision (c).

21 (e) (1) Any loans made by the department pursuant to this
 22 section shall be in the form of secured deferred payment loans to
 23 pay for the eligible costs of development. ~~Principal~~ *All unpaid*
 24 *principal* and accumulated interest is due and payable ~~upon~~ *no*
 25 *later than* completion of the term of the loan, which shall be
 26 established through program guidelines adopted pursuant to Section
 27 5849.5. The loan shall bear simple interest at a rate of ~~three~~ *3*
 28 percent per annum on the unpaid principal balance. The department
 29 shall require annual loan payments in the minimum amount
 30 necessary to cover the costs of project monitoring. For the first 15
 31 years of the loan term, the amount of the required loan payments
 32 shall not exceed forty-two hundredths of 1 percent per annum.

33 (2) The department may establish maximum loan-to-value
 34 requirements for some or all of the types of projects that are eligible
 35 for funding under this part, which shall be established through
 36 program guidelines adopted pursuant to Section 5849.5.

37 (3) The department shall establish per-unit and per-project loan
 38 limits for all project types.

39 (f) (1) The department may designate an amount not to exceed
 40 ~~four~~ *4* percent of funds allocated for the competitive program, not

1 including funding allocated pursuant to subdivision (b), in order
2 to cure or avert a default on the terms of any loan or other
3 obligation by the recipient of financial assistance, or bidding at
4 any foreclosure sale where the default or foreclosure sale would
5 jeopardize the department's security in the rental housing
6 development assisted pursuant to this part. The funds so designated
7 shall be known as the "default reserve."

8 (2) The department may use default reserve funds made
9 available pursuant to this section to repair or maintain any rental
10 housing development assistance pursuant to this part to protect the
11 department's security interest.

12 (3) The payment or advance of funds by the department pursuant
13 to this subdivision shall be exclusively within the department's
14 discretion, and no person shall be deemed to have any entitlement
15 to the payment or advance of those funds. The amount of any funds
16 expended by the department for the purposes of curing or averting
17 a default shall be added to the loan amount secured by the rental
18 housing development and shall be payable to the department upon
19 demand.

20 (g) (1) Prior to disbursement of any funds for loans made
21 pursuant to this section, the department shall enter into a regulatory
22 agreement with the development sponsor that provides for all of
23 the following:

24 (A) Sets standards for tenant selection to ensure occupancy of
25 assisted units by eligible households of very low and low income
26 for the term of the agreement.

27 (B) Governs the terms of occupancy agreements.

28 (C) Contains provisions to maintain affordable rent levels to
29 serve eligible households.

30 (D) Provides for periodic inspections and review of year-end
31 fiscal audits and related reports by the department.

32 (E) Permits a developer to distribute earnings in an amount
33 established by the department and based on the number of units
34 in the rental housing development.

35 (F) Has a term for not less than the original term of the loan.

36 (G) Contains any other provisions necessary to carry out the
37 purposes of this part.

38 (2) The agreement shall be binding upon the developer and
39 successors in interest upon sale or transfer of the rental housing
40 development regardless of any prepayment of the loan.

1 (3) The agreement shall be recorded in the office of the county
 2 recorder in the county in which the real property subject to the
 3 agreement is located.

4 (h) (1) The department shall monitor *county* compliance ~~by~~
 5 ~~counties of the grant and~~ *with applicable program regulations,*
 6 loan agreements and regulatory agreements ~~pursuant to which~~
 7 ~~funds are distributed pursuant to this section, and to which~~ *and*
 8 *any agreements related to the program that designate the*
 9 ~~department may be as a third party~~ *third-party* beneficiary, and
 10 enforce those *regulations and* agreements to the extent necessary
 11 and desirable in order to provide, to the greatest degree possible,
 12 the successful provision of permanent supportive housing.

13 (2) The department shall annually report to the authority the
 14 status of its efforts pursuant to this section and Section 5849.9, as
 15 set forth in Section 5849.11.

16 (i) The department may provide technical assistance to counties
 17 or developers of supportive housing to facilitate the construction
 18 of permanent supportive housing for *the target* ~~populations.~~
 19 *population.*

20 SEC. 10. Section 5849.9 of the Welfare and Institutions Code
 21 is amended to read:

22 5849.9. (a) ~~In furtherance of the department's obligations to~~
 23 ~~the authority under~~ *Under* any service contract entered into under
 24 Section 5849.35, in addition to the competitive program established
 25 by Section 5849.8, the department may distribute an amount not
 26 to exceed two hundred million dollars (\$200,000,000) from the
 27 fund on an “over-the-counter” basis to finance the construction,
 28 rehabilitation, or preservation, and to capitalize operating reserves,
 29 of permanent supportive housing for individuals in the target
 30 population with a priority for those with mental health supportive
 31 needs who are homeless or at risk of chronic homelessness. Funds
 32 to be awarded pursuant to this section shall be available to all
 33 counties within the state proportionate to the number of homeless
 34 persons residing within each county as calculated in Section 5849.6
 35 or in the amount of five hundred thousand dollars (\$500,000),
 36 whichever is greater. A county receiving these funds shall commit
 37 to provide mental health supportive services and coordinate the
 38 provision of, or referral to, other services, including, but not limited
 39 to, substance abuse treatment services, to the tenants of the
 40 supportive housing development for at least 20 years. Services

1 shall be provided onsite at the supportive housing development or
2 at a location otherwise easily accessible to the tenants.

3 (b) Funds not awarded within 18 months following the first
4 allocation of moneys in accordance with subdivision (d) shall be
5 used for the purposes of the competitive program.

6 (c) The moneys described in subdivision (a) shall be
7 administered either in accordance with the procedures for awarding
8 funds to local agencies established by the existing Mental Health
9 Services Act housing program administered by the *State*
10 Department of Health Care Services and the California Housing
11 Finance Agency or alternative procedures developed by the
12 department for distributing these moneys that enhance the
13 efficiency and goals of the distribution program.

14 (d) The department shall make the first allocation of moneys
15 pursuant to this section as soon as reasonably practical and in any
16 event no later than 150 days after the effective date of a final
17 judgment, with no further opportunity for appeals, in any court
18 proceeding affirming the validity of the contracts authorized by
19 the authority and the department pursuant to Section 5849.35 and
20 any bonds authorized to be issued by the authority pursuant to
21 Section 15463 of the Government Code and any contracts related
22 to those bonds.

23 SEC. 11. Section 5849.11 of the Welfare and Institutions Code
24 is amended to read:

25 5849.11. (a) The counties shall annually report to the
26 department on activities funded under this part, including
27 information on the funded supportive housing development.
28 Reported information shall include location of projects, number
29 of units assisted, occupancy restrictions, number of individuals
30 and households served, related income levels, and homeless,
31 veteran, and mental health-~~status~~ *status*.

32 (b) The department shall submit a report on the program to the
33 Legislature by December 31 of each year, commencing with the
34 year after the first full year in which the program is in effect. The
35 report shall contain the following:

36 (1) The processes established for distributing funds.

37 (2) The distribution of funds among counties.

38 (3) Any recommendations as to modifications to the program
39 for the purpose of improving efficiency or furthering the goals of
40 the program.

1 (c) The report required to be submitted by subdivision (b) shall
2 be submitted in compliance with Section 9795 of the Government
3 Code.

4 (d) The department shall submit a report to the authority by
5 December 31 of each year, commencing with the year after the
6 first full year in which the program is in effect, that contains the
7 information described in subdivision (a) and paragraphs (1) and
8 (2) of subdivision (b) for all counties participating in the program
9 and the services that have been provided pursuant to any service
10 contracts entered into pursuant to Section 5849.35.

11 SEC. 12. Section 5849.13 of the Welfare and Institutions Code
12 is repealed.

13 SEC. 13. Section 5849.13 is added to the Welfare and
14 Institutions Code, to read:

15 5849.13. An action to determine the validity of any contract
16 or loan authorized pursuant to Section 5849.35 or of any bond
17 authorized to be issued pursuant to Section 15463 of the
18 Government Code, and any contracts related to those bonds, may
19 be brought in accordance with Section 17700 of the Government
20 Code.

21 SEC. 14. Section 5849.14 of the Welfare and Institutions Code
22 is amended to read:

23 5849.14. The Department of Finance may authorize one or
24 more loans from the General Fund to the No Place Like Home
25 Fund for cashflow purposes in an aggregate amount not to exceed
26 two million dollars (\$2,000,000) subject to the following
27 conditions:

28 (a) The loans are for either of the following purposes:

29 (1) To allow the department to begin program implementation
30 activities, including, but not limited to, drafting program guidelines
31 and regulations.

32 (2) To allow the department, the authority, and the Treasurer
33 to implement Section 5849.35 of this Code and Section 15463 of
34 the Government Code, including, but not limited to, payment for
35 financial advisory and legal services to prepare for, and in
36 connection with, any validation action pursuant to Section 5849.13
37 or any other court action regarding this part or Section 15463 of
38 the Government Code.

1 (b) The loans are short term, and shall be repaid within 30 days
2 after the deposit of bond proceeds into the fund pursuant to
3 paragraph (1) of subdivision (b) of Section 5849.4.

4 (c) Interest charges may be waived pursuant to subdivision (e)
5 of Section 16314 of the Government Code.

6 SEC. 15. Section 5890 of the Welfare and Institutions Code is
7 amended to read:

8 5890. (a) The Mental Health Services Fund is hereby created
9 in the State Treasury. The fund shall be administered by the state.
10 Notwithstanding Section 13340 of the Government Code, all
11 moneys in the fund are, except as provided in subdivision (d) of
12 Section 5892, continuously appropriated, without regard to fiscal
13 years, for the purpose of funding the following programs and other
14 related activities as designated by other provisions of this division:

15 (1) Part 3 (commencing with Section 5800), the Adult and Older
16 Adult System of Care Act.

17 (2) Part 3.2 (commencing with Section 5830), Innovative
18 Programs.

19 (3) Part 3.6 (commencing with Section 5840), Prevention and
20 Early Intervention Programs.

21 (4) Part 3.9 (commencing with Section 5849.1), No Place Like
22 Home Program.

23 (5) Part 4 (commencing with Section 5850), the Children's
24 Mental Health Services Act.

25 (b) Nothing in the establishment of this fund, nor any other
26 provisions of the act establishing it or the programs funded shall
27 be construed to modify the obligation of health care service plans
28 and disability insurance policies to provide coverage for mental
29 health services, including those services required under Section
30 1374.72 of the Health and Safety Code and Section 10144.5 of the
31 Insurance Code, related to mental health parity. Nothing in this
32 act shall be construed to modify the oversight duties of the
33 Department of Managed Health Care or the duties of the
34 Department of Insurance with respect to enforcing these obligations
35 of plans and insurance policies.

36 (c) Nothing in this act shall be construed to modify or reduce
37 the existing authority or responsibility of the State Department of
38 Health Care Services.

39 (d) The State Department of Health Care Services shall seek
40 approval of all applicable federal Medicaid approvals to maximize

1 the availability of federal funds and eligibility of participating
 2 children, adults, and seniors for medically necessary care.

3 (e) Share of costs for services pursuant to Part 3 (commencing
 4 with Section ~~5800~~; 5800) and Part 4 (commencing with Section
 5 5850) of this division, shall be determined in accordance with the
 6 Uniform Method ~~for~~ of Determining Ability to Pay applicable to
 7 other publicly funded mental health services, unless this Uniform
 8 Method is replaced by another method of determining co-payments,
 9 in which case the new method applicable to other mental health
 10 services shall be applicable to services pursuant to Part 3
 11 (commencing with Section ~~5800~~; 5800) and Part 4 (commencing
 12 with Section 5850) of this division.

13 (f) The Supportive Housing Program Subaccount is hereby
 14 created in the Mental Health Services Fund. Notwithstanding
 15 Section 13340 of the Government Code, all moneys in the
 16 subaccount are *reserved and* continuously appropriated, without
 17 regard to fiscal years, to the California Health Facilities Financing
 18 Authority to provide funds to meet its financial obligations pursuant
 19 to any service contracts entered into pursuant to Section 5849.35.
 20 Notwithstanding any other law, including any other provision of
 21 this section, ~~starting on the first~~ *no later than the last day* of each
 22 month, the Controller shall, prior to any ~~transfer, deposit, transfer~~
 23 or expenditure from the fund for any other ~~purpose, purpose for~~
 24 *the following month*, transfer from the Mental Health Services
 25 Fund to the Supportive Housing Program Subaccount an amount
 26 which has been certified by the California Health Facilities
 27 Financing Authority pursuant to paragraph (3) of subdivision (a)
 28 of Section 5849.35, but not to exceed an aggregate amount of one
 29 hundred forty million (\$140,000,000) per year. If in any month
 30 the amounts in the *Mental Health Services Fund are insufficient*
 31 *to fully transfer to the subaccount or the amounts in the* subaccount
 32 are insufficient to fully pay the amount certified by the California
 33 Health Facilities Financing Authority, the shortfall shall be carried
 34 over to the next month. Moneys in the Supportive Housing
 35 *Program Subaccount* shall not be loaned *to* the General Fund
 36 pursuant to ~~Sections~~ *Section* 16310 or 16381 of the Government
 37 Code.

38 SEC. 16. Section 5891 of the Welfare and Institutions Code is
 39 amended to read:

1 5891. (a) The funding established pursuant to this act shall be
2 utilized to expand mental health services. Except as provided in
3 subdivision (j) of Section 5892 due to the state’s fiscal crisis, these
4 funds shall not be used to supplant existing state or county funds
5 utilized to provide mental health services. The state shall continue
6 to provide financial support for mental health programs with not
7 less than the same entitlements, amounts of allocations from the
8 General Fund or from the Local Revenue Fund 2011 in the State
9 Treasury, and formula distributions of dedicated funds as provided
10 in the last fiscal year which ended prior to the effective date of
11 this act. The state shall not make any change to the structure of
12 financing mental health services, which increases a county’s share
13 of costs or financial risk for mental health services unless the state
14 includes adequate funding to fully compensate for such increased
15 costs or financial risk. These funds shall only be used to pay for
16 the programs authorized in Sections 5890 and 5892. These funds
17 may not be used to pay for any other program. These funds may
18 not be loaned to the ~~state~~ General Fund or any other fund of the
19 state, or a county general fund or any other county fund for any
20 purpose other than those authorized by ~~Section~~ *Sections* 5890 and
21 5892.

22 (b) (1) Notwithstanding subdivision (a), and except as provided
23 in paragraph (2), the Controller may use the funds created pursuant
24 to this part for loans to the General Fund as provided in Sections
25 16310 and 16381 of the Government Code. Any such loan shall
26 be repaid from the General Fund with interest computed at 110
27 percent of the Pooled Money Investment Account rate, with interest
28 commencing to accrue on the date the loan is made from the fund.
29 This subdivision does not authorize any transfer that would
30 interfere with the carrying out of the object for which these funds
31 were created.

32 (2) This subdivision does not apply to the Supportive Housing
33 Program Subaccount created by subdivision (f) of Section 5890
34 or any moneys paid by the California Health Facilities Financing
35 Authority to the Department of Housing and Community
36 Development as a service fee pursuant to a service contract
37 authorized by Section 5849.35.

38 (c) Commencing July 1, 2012, on or before the 15th day of each
39 month, pursuant to a methodology provided by the State
40 Department of Health Care Services, the Controller shall distribute

1 to each Local Mental Health Service Fund established by counties
2 pursuant to subdivision (f) of Section 5892, all unexpended and
3 unreserved funds on deposit as of the last day of the prior month
4 in the Mental Health Services Fund, established pursuant to Section
5 5890, for the provision of programs and other related activities set
6 forth in Part 3 (commencing with Section 5800), Part 3.2
7 (commencing with Section 5830), Part 3.6 (commencing with
8 Section 5840), *Part 3.9 (commencing with Section 5849.1)*, and
9 Part 4 (commencing with Section 5850).

10 (d) Counties shall base their expenditures on the county mental
11 health program's three-year program and expenditure plan or
12 annual update, as required by Section 5847. Nothing in this
13 subdivision shall affect subdivision (a) or (b).

14 SEC. 17. The Legislature finds and declares that this act
15 furthers the intent of the Mental Health Services Act, enacted by
16 Proposition 63 at the November 2, 2004, statewide general election.

17 SEC. 18. This act is a bill providing for appropriations related
18 to the Budget Bill within the meaning of subdivision (e) of Section
19 12 of Article IV of the California Constitution, has been identified
20 as related to the budget in the Budget Bill, and shall take effect
21 immediately.