

**Introduced by Senator Roth**January 11, 2016

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An act to amend Section 987.005 of the Military and Veterans Code, relating to veterans.

## LEGISLATIVE COUNSEL'S DIGEST

SB 866, as introduced, Roth. Veterans housing.

Existing law, the Veterans Housing and Homeless Prevention Bond Act of 2014, authorizes the issuance of bonds in the amount of \$600,000,000 for expenditure by the California Housing Finance Agency, the Department of Housing and Community Development, and the Department of Veterans Affairs (the departments) to provide multifamily housing and services to veterans pursuant to the Veterans Housing and Homeless Prevention Act of 2014. Existing law requires the departments to establish and implement programs pursuant to those purposes.

This bill would authorize a housing developer or service provider that receives bond moneys pursuant to those provisions to provide housing or services to veterans and their children in women-only facilities or men-only facilities in limited instances, as specified.

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. This act shall be known and may be cited as the
- 2 "Veterans Housing and Homeless Prevention Act of 2016:
- 3 Proposition 41 Expenditures: Military Sexual Trauma."

1 SEC. 2. Section 987.005 of the Military and Veterans Code is  
2 amended to read:

3 987.005. (a) The departments shall establish and implement  
4 programs pursuant to the purposes of this article that focus on  
5 veterans at risk for homelessness or experiencing temporary or  
6 chronic homelessness. To the extent feasible, the departments shall  
7 establish and implement programs that, among other things, do  
8 the following:

9 (1) Leverage public (federal, state, and local), private, and  
10 nonprofit program and fiscal resources.

11 (2) Prioritize projects that combine housing and supportive  
12 services, including, but not limited to, job training, mental health  
13 and drug treatment, case management, care coordination, or  
14 physical rehabilitation.

15 (3) Promote public and private partnerships.

16 (4) Foster innovative financing opportunities.

17 (5) Ensure program guidelines and terms provide threshold  
18 requirements or scoring criteria, or both, to advance applicants  
19 with experience in combining permanent or transitional housing,  
20 or both, with supportive services for veterans, or for partnering  
21 with housing developers or service providers with experience  
22 offering housing or services to veterans.

23 (b) The departments shall ensure at least 50 percent of funds  
24 awarded for capital development under this article provide housing  
25 to veteran households with extremely low incomes, as defined in  
26 Section 50106 of the Health and Safety Code.

27 (1) In determining whether a potential tenant is eligible for  
28 supportive, affordable, or transitional housing targeted to extremely  
29 low income households under this provision, eligibility shall take  
30 into consideration all of a household's income sources upon initial  
31 tenancy.

32 (2) At least 60 percent of units funded targeting extremely low  
33 income households shall be supportive housing.

34 (3) This section shall not deter the departments from funding  
35 projects serving mixed-income populations.

36 (c) The departments may review, adopt, amend, and repeal  
37 guidelines or terms, or both, to implement this article. Any  
38 guidelines or terms adopted to implement this article shall not be  
39 subject to Chapter 3.5 (commencing with Section 11340) of Part  
40 1 of Division 3 of Title 2 of the Government Code.

1 (d) Nothing in this article permits the departments or the board  
2 to purchase, operate, or manage properties except in the event of  
3 a foreclosure on a borrower or grantee.

4 (e) (1) *Notwithstanding any other law, a housing developer or*  
5 *service provider that receives bond moneys pursuant to this article*  
6 *may provide housing or services to male or female veterans and*  
7 *their children in men-only or women-only facilities, respectively,*  
8 *in limited instances in which (1) a male or female veteran has*  
9 *suffered any form of sexual abuse, trauma, or intimidation or*  
10 *harassment while on active duty and is seeking treatment for that*  
11 *sexual abuse, trauma, or intimidation or harassment, or (2) is*  
12 *seeking the housing or services as a result of being a victim of*  
13 *sexual abuse or domestic violence.*

14 (2) *A housing developer or service provider that provides*  
15 *housing or services to male or female veterans in men-only*  
16 *facilities or women-only facilities pursuant to paragraph (1) shall*  
17 *ensure that the housing or services shall provide supportive*  
18 *housing or services with a focus on, among others, treating the*  
19 *effects of male or female military sexual abuse, trauma, or*  
20 *intimidation.*

21 (3) *For purposes of this subdivision:*

22 (A) *“Men-only facilities” means the facilities may house and*  
23 *provide services to male veterans only and their children, and*  
24 *shall not house or provide services to any adult who is not a*  
25 *dependent of a male veteran.*

26 (B) *“Women-only facilities” means the facilities may house and*  
27 *provide services to female veterans only and their children, and*  
28 *shall not house or provide services to any adult who is not a*  
29 *dependent of a female veteran.*

30 SEC. 3. (a) The Legislature finds and declares that the changes  
31 made by this act to Section 987.005 of the Military and Veterans  
32 Code are necessary in order to provide a safe environment to male  
33 and female veterans who have been subject to, among others,  
34 sexual abuse, harassment, or domestic violence. Providing a  
35 gender-specific treatment and housing community to address the  
36 needs of at-risk veterans who have been sexually abused or  
37 physically while in service or thereafter is necessary for purposes  
38 of treatment and recovery. It is, therefore, necessary that these  
39 facilities be focused on “men-only” or “women-only” treatment  
40 and services with a focus on treatment related to sexual abuse,

1 harassment, or domestic violence, which may be distinct from  
2 other treatment or services that other veterans may be seeking  
3 under similar provisions, such as for PTSD or job placement.

4 (b) In that respect, the Legislature finds and declares that  
5 providing gender-specific treatment and housing pursuant to this  
6 act serves a compelling state interest, which interest is providing  
7 the best possible treatment to our veterans who have served our  
8 country and who now face additional hurdles that  
9 disproportionately affect some veterans over others. The  
10 Legislature further finds and declares that providing separate  
11 facilities distinct from the norm of multifamily housing is  
12 substantially related to the achievement of those objectives.