

AMENDED IN SENATE SEPTEMBER 5, 1997

AMENDED IN SENATE JULY 2, 1997

AMENDED IN ASSEMBLY JUNE 4, 1997

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

ASSEMBLY BILL

No. 242

Introduced by Assembly Members Honda and Machado

and Senator Lee

**(Coauthors: Assembly Members Bowen, Brown, Cunneen,
Knox, Kuehl, Mazzoni, and Wayne)**

**(Coauthors: Senators McPherson, O’Connell, Solis,
Vasconcellos, and Watson)**

February 7, 1997

~~An act to amend Sections 15301 and 15301.3 of, and to repeal and add Sections 15301.5 and 15301.7 of, the Government Code, relating to homeless shelters, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.~~
An act to add Section 50802.1 to the Health and Safety Code, relating to homeless shelters, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL’S DIGEST

AB 242, as amended, Honda. Emergency homeless shelters: ~~state armories.~~

Under existing law, the Emergency Housing and Assistance Program, the Department of Housing and Community Development is authorized to make grants from the continuously appropriated Emergency Housing and Assistance Fund to local governments and nonprofit

organizations to provide emergency or temporary housing for the homeless, as specified.

This bill would appropriate \$1,062,360 from the General Fund to the State Controller for allocation and disbursement to the fund. The bill would require \$810,000 of this sum to be made available to certain counties in specified allotments during the 1997-98 and 1998-99 fiscal years. The bill would provide that a designated local board or a county shall be eligible for its allotment by submitting an application containing specified information to the department.

This bill would become operative only if SB 255 and AB 67 are enacted and become operative.

~~Existing law authorizes the Adjutant General, under the direction of the Governor, to make and enforce regulations for the government and control of state armories, as defined, for use by the state militia. It authorizes the Adjutant General to appoint a Community Advisory Committee to advise the Adjutant General on the use of state armories as shelters for the homeless.~~

~~Existing law requires certain state armories to be made available, until March 15, 1997, to specified cities and counties for use by homeless persons for emergency shelter purposes during defined periods of the year.~~

~~This bill would extend this requirement until March 15, 2000. The bill would delete Van Nuys, and would add Sylmar and Glendale armories to the above described provisions.~~

~~The bill would make these provisions operative upon appropriation to the Military Department for the purposes of these provisions in the annual Budget Act.~~

~~Existing law requires any authorized county or city electing to use a state armory for these purposes, to obtain a license from the Military Department in compliance with prescribed requirements, including, but not limited to, the requirement that the county or city be responsible for all costs of providing the shelter during the license periods, except for certain costs to be borne by the Military Department at a total cost for all authorized armories no greater or less than the amount allowed for this purpose by the Military Department from General Fund moneys in the department's 1993-94 budget.~~



~~This bill would, instead, provide that the total cost for all authorized armories is to be no greater or less than the amount allowed for this purpose by the Military Department in the department's 1997-98 budget.~~

~~Existing law requires an authorized county or city electing to use an armory for these purposes to provide a report to the Department of Economic Opportunity on January 1, 1996, and on January 1, 1997, describing progress toward a long-range, permanent shelter plan for homeless persons to take effect on March 15, 1997.~~

~~This bill would repeal that provision, and would, instead, require a county government utilizing the armory shelter program to provide a report no later than June 30, 1998, to the Governor, the Senate Committee on Governmental Organization, the Assembly Committee on Local Government, and the Senate and Assembly Budget Committees, describing the progress towards providing alternative emergency shelters in lieu of the armory shelter, and would prohibit making armories available to the local government for the emergency shelter program after July 1, 1998, if the report is not provided by June 30, 1998.~~

~~Existing law requires that prior to March 15, 1997, an evaluation of the effectiveness of the temporary armory shelter arrangement and the progress of participating counties and cities toward long-range future shelter plans for homeless persons shall be prepared jointly by the Military Department, the Department of Economic Opportunity, the Department of Housing and Community Development, and a representative of the participating counties and cities selected by participating groups, and requires that the report be sent to the Governor, the Senate Committee on Governmental Organization, and the Assembly Committee on Local Government, prior to March 15, 1997.~~

~~This bill would repeal this provision, and instead require the Legislative Analyst to file a report by March 1, 1998.~~

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

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



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

1 ~~SECTION 1. Section 15301 of the Government Code~~
2 SECTION 1. Section 50802.1 is added to the Health
3 and Safety Code, to read:
4 50802.1. (a) The sum of eight hundred ten thousand
5 dollars (\$810,000) from the Emergency Housing and
6 Assistance Fund shall be made available to the following
7 counties in the following allotments during the 1997–98
8 and 1998–99 fiscal years:
9 (1) For the Counties of Imperial, Merced, San Mateo,
10 Shasta, Sonoma, and Ventura, the department shall
11 allocate thirty thousand dollars (\$30,000) to each county.
12 (2) For the Counties of Orange, Riverside, San Diego,
13 Santa Barbara, and Santa Cruz, the department shall
14 allocate sixty thousand dollars (\$60,000) to each county.
15 (3) For the County of Santa Clara, the department
16 shall allocate ninety thousand dollars (\$90,000).
17 (4) For the County of Los Angeles, the department
18 shall allocate two hundred forty thousand dollars
19 (\$240,000).
20 (b) A designated local board or a county shall be
21 eligible for its specified allotment by submitting to the
22 department a one page application requesting the
23 funding. The application shall briefly state how the
24 county’s proposed use of the funds is consistent with
25 Section 50803 and shall designate the grant recipient or
26 recipients for the funds.
27 (c) The department shall disburse the specified
28 allotments to the grant recipient or recipients no later
29 than 30 days after receipt of the application, if the
30 department determines that the application is consistent
31 with subdivision (b).
32 (d) The department shall allocate these additional
33 Emergency Housing and Assistance Program funds
34 above the base year amount consistent with Section
35 50802, except that no county that received a specified
36 allotment under subdivision (a) shall be eligible for any
37 additional Emergency Housing and Assistance Program
38 funds.



1 (e) The department's administrative costs shall not
2 exceed the amount provided for in subdivision (d) of
3 Section 50802.

4 is amended to read:

5 15301. (a) ~~The Chico armory in Butte County; the~~
6 ~~Calexico and El Centro armories in Imperial County; the~~
7 ~~Culver City, Glendale, Inglewood, Long Beach on 7th~~
8 ~~Street, Pomona, and Sylmar armories and the West Los~~
9 ~~Angeles armory on Federal Avenue in Los Angeles~~
10 ~~County; the San Rafael armory in Marin County; the~~
11 ~~Meredd armory in Merced County; the Fullerton and~~
12 ~~Santa Ana armories in Orange County; the Roseville~~
13 ~~armory in Placer County; the Corona, Indio, and~~
14 ~~Riverside armories in Riverside County; the El Cajon,~~
15 ~~Esccondido, and Vista armories in San Diego County; the~~
16 ~~San Mateo armory in San Mateo County; the Santa~~
17 ~~Barbara and Santa Maria armories in Santa Barbara~~
18 ~~County; the Gilroy and Sunnyvale armories and the San~~
19 ~~Jose armory on Hedding Street in Santa Clara County; the~~
20 ~~Santa Cruz and Watsonville armories in Santa Cruz~~
21 ~~County; the Redding armory in Shasta County; the~~
22 ~~Petaluma and Santa Rosa armories in Sonoma County;~~
23 ~~and the Oxnard armory in Ventura County shall be made~~
24 ~~available to these counties or any city in these counties for~~
25 ~~the purpose of providing temporary shelter for homeless~~
26 ~~persons during the period from December 1 through~~
27 ~~March 15 each year, as a temporary measure until March~~
28 ~~15, 1999, to allow adequate time for government entities~~
29 ~~in these counties to develop other suitable homeless~~
30 ~~shelter arrangements. If severe weather conditions exist~~
31 ~~between November 1 through March 31, the Military~~
32 ~~Department may extend the use of the armories to~~
33 ~~include November 1 to December 1 and March 15 to~~
34 ~~March 31.~~

35 (b) ~~This section shall be operative upon appropriation~~
36 ~~to the Military Department for the purposes of this~~
37 ~~section in the annual Budget Act.~~

38 ~~SEC. 2. Section 15301.3 of the Government Code is~~
39 ~~amended to read:~~



1 ~~15301.3. Any county or city authorized in Section~~
2 ~~15301 electing to use a state armory or armories for the~~
3 ~~purpose of this chapter, in consultation with the~~
4 ~~Community Advisory Committee appointed pursuant to~~
5 ~~Section 438 of the Military and Veterans Code or, if no~~
6 ~~committee has been appointed, in consultation with the~~
7 ~~Adjutant General, shall obtain a license from the Military~~
8 ~~Department with the following requirements:~~

9 (a) ~~The county or city obtaining a license shall be~~
10 ~~solely responsible for measures and costs required to~~
11 ~~comply with state and local health and safety codes~~
12 ~~during the license periods.~~

13 (b) ~~The county or city obtaining a license shall be~~
14 ~~responsible for all legal liabilities during the license~~
15 ~~periods and the state shall be held harmless in each case.~~

16 (c) ~~The county or city obtaining a license shall be~~
17 ~~responsible for all costs of providing shelter in the state~~
18 ~~armory or armories to homeless persons during the~~
19 ~~license periods, including, but not limited to, all costs for~~
20 ~~minor emergency repairs, including, but not limited to,~~
21 ~~plumbing and electrical work, with the exception of costs~~
22 ~~for utilities, including, but not limited to, heating and~~
23 ~~electricity, and for National Guardsmen for security of~~
24 ~~military equipment and property, these costs to be borne~~
25 ~~by the Military Department at a total cost for all~~
26 ~~authorized armories no greater or less than the amount~~
27 ~~allowed for this purpose by the Military Department in~~
28 ~~the department's 1997-98 budget.~~

29 (d) ~~The county or city obtaining a license shall be~~
30 ~~solely responsible for alternative housing arrangements,~~
31 ~~including relocation measures and transportation, for~~
32 ~~homeless persons housed in state armories during the~~
33 ~~license periods, upon notification from the Military~~
34 ~~Department that the armory or armories shall be~~
35 ~~required for military activities or emergency purposes as~~
36 ~~announced by the Governor. The Military Department or~~
37 ~~the Governor shall determine the evacuation deadline.~~

38 ~~SEC. 3. Section 15301.5 of the Government Code is~~
39 ~~repealed.~~



1 ~~SEC. 4. Section 15301.5 is added to the Government~~
2 ~~Code, to read:~~

3 ~~15301.5. County governments utilizing the Armory~~
4 ~~Temporary Emergency Shelter program pursuant to this~~
5 ~~chapter shall provide a report no later than June 30, 1998,~~
6 ~~to the Governor, the Senate Committee of Government~~
7 ~~Organization, the Assembly Committee on Local~~
8 ~~Government, and the Senate and Assembly Budget~~
9 ~~Committees, describing the progress towards providing~~
10 ~~alternative emergency shelters in lieu of the Armory~~
11 ~~Temporary Emergency Shelter Program. The report~~
12 ~~shall describe recent activities, planned activities,~~
13 ~~obstacles and proposed solutions to the obstacles. If the~~
14 ~~report is not provided by June 30, 1998, armories shall not~~
15 ~~be made available to the local government for the~~
16 ~~Armory Temporary Emergency Shelter Program after~~
17 ~~July 1, 1998.~~

18 ~~SEC. 5. Section 15301.7 of the Government Code is~~
19 ~~repealed.~~

20 ~~SEC. 6. Section 15301.7 is added to the Government~~
21 ~~Code, to read:~~

22 ~~15301.7. It is the intent of the Legislature that the~~
23 ~~Legislative Analyst's office, in consultation with the~~
24 ~~Military Department, the Department of Housing and~~
25 ~~Community Development, the Department of~~
26 ~~Community Services and Development, advocates for~~
27 ~~housing for the homeless, and other parties, as necessary,~~
28 ~~analyze and recommend to the Legislature alternative~~
29 ~~approaches for providing cold weather emergency~~
30 ~~assistance to homeless persons that could replace the~~
31 ~~existing Temporary Emergency Shelter Program by~~
32 ~~which homeless persons are housed at specified armories~~
33 ~~of the National Guard. The Legislative Analyst shall~~
34 ~~report its findings and recommendations in this matter to~~
35 ~~the Joint Legislative Budget Committee and the budget~~
36 ~~committees of both the Assembly and the Senate by~~
37 ~~March 1, 1998.~~

38 ~~SEC. 7.—~~

39 ~~SEC. 2. The sum of one million sixty-two thousand,~~
40 ~~three hundred sixty dollars (\$1,062,360) is hereby~~



1 *appropriated from the General Fund to the State*
 2 *Controller for allocation and disbursement to the*
 3 *Emergency Housing and Assistance Fund to be spent for*
 4 *programs authorized by Chapter 11.5 (commencing with*
 5 *Section 50800) of Part 2 of Division 31 of the Health and*
 6 *Safety Code, and the Department of Housing and*
 7 *Community Development shall disburse the funds*
 8 *pursuant to Section 50802.1.*

9 *SEC. 3. This act shall become operative only if Senate*
 10 *Bill 255 and Assembly Bill 67 of the 1997–98 Regular*
 11 *Session are enacted and become operative. This act shall*
 12 *be operative on the date that either Senate Bill 255 or*
 13 *Assembly Bill 67 becomes operative, whichever occurs*
 14 *last, or the date that this act becomes effective, if that date*
 15 *is last.*

16 *SEC. 4. This act is an urgency statute necessary for the*
 17 *immediate preservation of the public peace, health, or*
 18 *safety within the meaning of Article IV of the*
 19 *Constitution and shall go into immediate effect. The facts*
 20 *constituting the necessity are:*

21 *In order to provide adequate shelter for the homeless,*
 22 *it is necessary that this act take effect immediately.*

