

By the Committee on Local Government & Veterans Affairs  
and Representatives Fiorentino, Gannon, Detert, Bense and  
Henriquez

1                                   A bill to be entitled  
2           An act relating to homelessness; amending s.  
3           228.041, F.S.; redefining the term "homeless  
4           child"; amending ss. 232.03, 232.0315, and  
5           232.032, F.S.; revising the deadline for  
6           submission of documents for school registration  
7           for children who are homeless; amending s.  
8           420.5087, F.S., relating to the State Apartment  
9           Incentive Loan Program; revising the  
10          requirements for qualifying to participate in  
11          the program; adding the homeless to the list of  
12          eligible tenant groups; amending s. 420.511,  
13          F.S.; revising reporting requirements of the  
14          Florida Housing Finance Corporation; amending  
15          s. 420.609, F.S., relating to the Affordable  
16          Housing Study Commission; revising the  
17          membership of the commission; requiring the  
18          commission to analyze how to address the acute  
19          need for housing for the homeless; amending s.  
20          420.621, F.S.; redefining the term "homeless";  
21          creating s. 420.622, F.S.; creating the State  
22          Office on Homelessness within the Department of  
23          Children and Family Services; requiring the  
24          Governor to appoint an executive director for  
25          the State Office on Homelessness; creating the  
26          Council on Homelessness; providing for council  
27          membership; providing for council members to be  
28          reimbursed for travel expenses; providing for  
29          grants for homeless assistance continuums of  
30          care; providing grants for homeless housing  
31          assistance; prescribing duties and

1 responsibilities of the State Office on  
2 Homelessness; requiring the Department of  
3 Children and Family Services to adopt rules  
4 with input from the Council on Homelessness;  
5 requiring an annual report; amending s.  
6 420.623, F.S.; revising the list of  
7 organizations that may participate in local  
8 homeless coalitions; revising the functions of  
9 local homeless coalitions; creating s. 420.624,  
10 F.S.; establishing guidelines for local  
11 homeless assistance continuum of care; creating  
12 s. 420.626, F.S.; establishing guidelines for  
13 discharging persons at risk for homelessness  
14 from facilities providing mental illness or  
15 substance abuse services; amending s. 420.9075,  
16 F.S.; expanding the list of partners that  
17 counties and cities are encouraged to involve  
18 in developing housing assistance plans;  
19 amending s. 445.009, F.S.; revising regional  
20 workforce boards' one-stop delivery system;  
21 requiring the Office of Program Policy Analysis  
22 and Government Accountability to report on  
23 homelessness; designating December 21 as  
24 "Homeless Persons' Memorial Day"; providing  
25 appropriations; providing an effective date.

26  
27 WHEREAS, the Florida Homeless Study Commission has  
28 revealed that homelessness has been steadily increasing for  
29 several years and constitutes, especially for the mentally  
30 ill, an archaic form of human misery that can no longer be  
31

1 tolerated in this, the world's greatest and most responsive  
2 democracy, and

3 WHEREAS, homelessness creates a sizable drain on social  
4 and economic resources and is a frustration to legitimate  
5 commerce and an obstacle to community development, and

6 WHEREAS, prevention of future homelessness will pay  
7 great dividends to all Floridians that will justify the effort  
8 and costs of instituting a statewide plan to relieve  
9 homelessness, and

10 WHEREAS, health and social services, as well as welfare  
11 institutions, are now faced with the urgent necessity of  
12 creating new avenues of cooperation, coordination, and mutual  
13 support, and there is a statewide need for new concentrations  
14 of community outreach, and for active, aggressive provision of  
15 services, for the treatment and prevention of homelessness and  
16 mental illness among the homeless, and

17 WHEREAS, the Department of Children and Family Services  
18 has concluded that Florida homeless persons number at least  
19 57,400 at any given time, and fall into one or more of the  
20 following categories: women and their children; the mentally  
21 ill; military veterans; and drug or alcohol addicts, and

22 WHEREAS, the commission found the causes of  
23 homelessness to be numerous and complex and therefore the cure  
24 cannot be simplistic and cannot exclusively address any single  
25 issue or causative factor, and

26 WHEREAS, due to the lack of resources, many local  
27 governments throughout the State of Florida have not focused  
28 on the obstacles that need to be overcome to solve the problem  
29 of homelessness, and

30 WHEREAS, it is absolutely necessary that any  
31 meaningful, comprehensive plan for the eradication or

1 significant reduction of homelessness be a partnership between  
2 the state and local governments to draw upon the "best  
3 practices" of local model practices to achieve a permanent,  
4 uniform, and integrated state strategy, NOW, THEREFORE,

5

6 Be It Enacted by the Legislature of the State of Florida:

7

8 Section 1. Subsection (35) of section 228.041, Florida  
9 Statutes, is amended to read:

10 228.041 Definitions.--Specific definitions shall be as  
11 follows, and wherever such defined words or terms are used in  
12 the Florida School Code, they shall be used as follows:

13 (35) HOMELESS CHILD.--A homeless child is:

14 (a) One who lacks a fixed, regular nighttime  
15 residence;

16 (b) One who has a primary nighttime residence that is:

17 1. A supervised publicly or privately operated shelter  
18 designed to provide temporary living accommodations, including  
19 welfare hotels, congregate shelters, and transitional housing  
20 for the mentally ill;

21 2. An institution that provides a temporary residence  
22 for individuals intended to be institutionalized; or

23 3. A public or private place not designed for, or  
24 ordinarily used as, a regular sleeping accommodation for human  
25 beings; or

26 (c) One who temporarily resides with an adult other  
27 than his or her parent or guardian because the parent or  
28 guardian is suffering financial hardship.

29

30 A child who is imprisoned, detained, or in the custody of the  
31 state pursuant to a state or federal law is not a homeless

1 ~~child whose primary nighttime residence is in a supervised~~  
2 ~~publicly or privately operated shelter for temporary~~  
3 ~~accommodations or in a public or private place not designated~~  
4 ~~for, or ordinarily used for, continuing human habitation.~~

5 Section 2. Subsection (7) of section 232.03, Florida  
6 Statutes, is amended to read:

7 232.03 Evidence of date of birth required.--Before  
8 admitting a child to prekindergarten or kindergarten, the  
9 principal shall require evidence that the child has attained  
10 the age at which he or she should be admitted in accordance  
11 with the provisions of s. 232.01. The superintendent may  
12 require evidence of the age of any child whom he or she  
13 believes to be within the limits of compulsory attendance as  
14 provided for by law. If the first prescribed evidence is not  
15 available, the next evidence obtainable in the order set forth  
16 below shall be accepted:

17 (7) If none of these evidences can be produced, an  
18 affidavit of age sworn to by the parent, accompanied by a  
19 certificate of age signed by a public health officer or by a  
20 public school physician, or, if neither of these shall be  
21 available in the county, by a licensed practicing physician  
22 designated by the school board, which certificate shall state  
23 that the health officer or physician has examined the child  
24 and believes that the age as stated in the affidavit is  
25 substantially correct. A homeless child, as defined in s.  
26 228.041, shall be given temporary exemption from this section  
27 for 30 school days.

28 Section 3. Subsection (1) of section 232.0315, Florida  
29 Statutes, is amended to read:

30 232.0315 School-entry health examinations.--  
31

1           (1) The school board of each district and the  
2 governing authority of each nonpublic school shall require  
3 that each child who is entitled to admittance to  
4 prekindergarten or kindergarten, or is entitled to any other  
5 initial entrance into a public or nonpublic school in this  
6 state, present a certification of a school-entry health  
7 examination performed within 1 year prior to enrollment in  
8 school. The school board of each district, and the governing  
9 authority of each nonpublic school, may establish a policy  
10 which permits a student up to 30 school days to present a  
11 certification of a school-entry health examination. A homeless  
12 child, as defined in s. 228.041, shall be given a temporary  
13 exemption for 30 school days.Any school board which  
14 establishes such a policy shall include provisions in its  
15 local school health services plan to assist students in  
16 obtaining the health examinations. However, any child shall be  
17 exempt from the requirement of a health examination upon  
18 written request of the parent or guardian of such child  
19 stating objections to such examination on religious grounds.

20           Section 4. Paragraph (e) of subsection (3) of section  
21 232.032, Florida Statutes, is amended to read:

22           232.032 Immunization against communicable diseases;  
23 school attendance requirements; exemptions.--

24           (3) The provisions of this section shall not apply if:

25           (e) An authorized school official issues a temporary  
26 exemption, for a period not to exceed 30 school days, to  
27 permit a child who transfers into a new county to attend class  
28 until his or her records can be obtained. A homeless child, as  
29 defined in s. 228.041, shall be given a temporary exemption  
30 for 30 school days.The public school health nurse or  
31 authorized nonpublic school official is responsible for

1 followup of each such child until proper documentation or  
2 immunizations are obtained. An exemption for 30 days may be  
3 issued for a child who enters a juvenile justice program to  
4 permit the child to attend class until his or her records can  
5 be obtained or until the immunizations can be obtained. An  
6 authorized juvenile justice official is responsible for  
7 followup of each child who enters a juvenile justice program  
8 until proper documentation or immunizations are obtained.

9 Section 5. Subsection (3) of section 420.5087, Florida  
10 Statutes, is amended to read:

11 420.5087 State Apartment Incentive Loan  
12 Program.--There is hereby created the State Apartment  
13 Incentive Loan Program for the purpose of providing first,  
14 second, or other subordinated mortgage loans or loan  
15 guarantees to sponsors, including for-profit, nonprofit, and  
16 public entities, to provide housing affordable to  
17 very-low-income persons.

18 (3) During the first 6 months of loan or loan  
19 guarantee availability, program funds shall be reserved for  
20 use by sponsors who provide the housing set-aside required in  
21 subsection (2) for ~~tenants in the three~~ tenant groups  
22 designated in this subsection. The reservation of funds to  
23 each of these groups shall be determined using the most recent  
24 statewide very-low-income rental housing market study  
25 available at the time of publication of each notice of fund  
26 availability required by paragraph (6)(b). The reservation of  
27 funds within each notice of fund availability to the ~~three~~  
28 tenant groups in paragraphs (a), (b), and (d) ~~designated in~~  
29 ~~this subsection~~ may not be less than 10 percent of the funds  
30 available at that time. Any increase in funding required to  
31 reach the 10-percent minimum shall be taken from the tenant

1 group that has the largest reservation. The reservation of  
2 funds within each notice of fund availability to the tenant  
3 group in paragraph (c) may not be less than 5 percent of the  
4 funds available at that time. The ~~three~~ tenant groups are:  
5 (a) Commercial fishing workers and farmworkers;  
6 (b) Families; ~~and~~  
7 (c) Persons who are homeless; and  
8 (d)(c)1. Elderly persons.  
9 ~~2.~~ Ten percent of the amount reserved for the elderly  
10 ~~pursuant to subparagraph 1.~~ shall be reserved to provide loans  
11 to sponsors of housing for the elderly, ~~as defined in s.~~  
12 ~~420.503,~~ for the purpose of making building preservation,  
13 health, or sanitation repairs or improvements which are  
14 required by federal, state, or local regulation or code, or  
15 lifesafety or security-related repairs or improvements to such  
16 housing. Such a loan ~~for a lifesafety, building preservation,~~  
17 ~~health, sanitation, or security-related repair or improvement~~  
18 may not exceed \$200,000 per housing community for the elderly.  
19 In order to receive the loan, the sponsor of the housing  
20 community ~~for the elderly~~ must make a commitment to match at  
21 least 15 percent of the loan amount to pay the cost of such  
22 repair or improvement. The corporation shall establish the  
23 rate of interest on the loan, which may not exceed 3 percent,  
24 and the term of the loan, which may not exceed 15 years. The  
25 term of the loan shall be established on the basis of a credit  
26 analysis of the applicant. The corporation shall establish, by  
27 rule, the procedure and criteria for receiving, evaluating,  
28 and competitively ranking all applications for loans under  
29 this paragraph ~~subparagraph~~. A loan application must include  
30 evidence of the first mortgagee's having reviewed and approved  
31 the sponsor's intent to apply for a loan. A nonprofit



1 organization or sponsor may not use the proceeds of the ~~a~~ loan  
2 ~~received pursuant to this subparagraph~~ to pay for  
3 administrative costs, routine maintenance, or new  
4 construction.

5 Section 6. Paragraph (e) of subsection (3) of section  
6 420.511, Florida Statutes, is amended to read:

7 420.511 Business plan; strategic plan; annual  
8 report.--

9 (3) The corporation shall submit to the Governor and  
10 the presiding officers of each house of the Legislature,  
11 within 2 months after the end of its fiscal year, a complete  
12 and detailed report setting forth:

13 (e) Information relating to the corporation's  
14 activities in implementing the provisions of ss. 420.5087 and  
15 420.5088. The report required by this subsection shall  
16 include, but not be limited to:

17 1. The number of people served, delineated by income,  
18 age, family size, and racial characteristics.

19 2. The number of units produced under each program.

20 3. The average cost of producing units under each  
21 program.

22 4. The average sales price of single-family units  
23 financed under s. 420.5088.

24 5. The average amount of rent charged based on unit  
25 size on units financed under s. 420.5087.

26 6. The number of persons in rural communities served  
27 under each program.

28 7. The number of farmworkers served under each  
29 program.

30 8. The number of homeless persons served under each  
31 program.

1           ~~9.8.~~ The number of elderly persons served under each  
2 program.

3           ~~10.9.~~ The extent to which geographic distribution has  
4 been achieved in accordance with the provisions of s.  
5 420.5087.

6           ~~11.10.~~ Any other information the corporation deems  
7 appropriate.

8           Section 7. Subsections (1) and (4) of section 420.609,  
9 Florida Statutes, are amended to read:

10           420.609 Affordable Housing Study Commission.--Because  
11 the Legislature firmly supports affordable housing in Florida  
12 for all economic classes:

13           (1) There is ~~hereby~~ created the Affordable Housing  
14 Study Commission, which shall be composed of 21 members to be  
15 appointed by the Governor:

16           (a) One citizen actively engaged in the residential  
17 home building industry.

18           (b) One citizen actively engaged in the home mortgage  
19 lending profession.

20           (c) One citizen actively engaged in the real estate  
21 sales profession.

22           (d) One citizen actively engaged in apartment  
23 development.

24           (e) One citizen actively engaged in the management and  
25 operation of a rental housing development.

26           (f) Two citizens who represent very-low-income and  
27 low-income persons.

28           (g) One citizen representing a community-based  
29 organization with experience in housing development.

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- 1 (h) One citizen representing a community-based  
2 organization with experience in housing development in a  
3 community with a population of less than 50,000 persons.  
4 (i) Two citizens who represent elderly persons'  
5 housing interests.  
6 (j) One representative of regional planning councils.  
7 (k) One representative of the Florida League of  
8 Cities.  
9 (l) One representative of the Florida Association of  
10 Counties.  
11 (m) Two citizens representing statewide growth  
12 management organizations.  
13 (n) One citizen of the state to serve as chair of the  
14 commission.  
15 (o) One citizen representing a residential community  
16 developer.  
17 (p) One member ~~Three members~~ who is a resident ~~are~~  
18 ~~residents~~ of the state.  
19 (q) One representative from a local housing authority.  
20 (r) One citizen representing the housing interests of  
21 homeless persons.  
22 (4) The commission shall analyze those solutions and  
23 programs which could begin to address the state's acute need  
24 for housing for the homeless; for very-low-income, low-income,  
25 and moderate-income persons; and for elderly persons,  
26 including programs or proposals which provide for:  
27 (a) Offering ~~of~~ low-interest and zero-interest loans  
28 for the development or rehabilitation of housing;  
29 (b) Use of publicly owned lands and buildings as  
30 affordable housing sites;  
31

1 (c) Coordination with federal initiatives, including  
2 development of an approved housing strategy;

3 (d) Streamlining ~~of~~ the various state, regional, and  
4 local regulations, and housing and building codes governing  
5 the housing industry;

6 (e) Stimulation of public and private cooperative  
7 housing efforts;

8 (f) Implementation or expansion of the programs  
9 authorized in this chapter;

10 (g) Discovery and assessment of ~~sources of~~ funding  
11 sources for low-cost housing construction and rehabilitation;  
12 and

13 (h) Development of such other solutions and programs  
14 as the commission deems appropriate.

15  
16 In performing its analysis, the commission shall consider both  
17 homeownership and rental housing as viable options for the  
18 provision of housing. The commission shall also give  
19 consideration to various types of residential construction,  
20 including but not limited to, manufactured housing.

21 Section 8. Subsection (4) of section 420.621, Florida  
22 Statutes, is amended to read:

23 420.621 Definitions; ss. 420.621-420.627.--As used in  
24 ss. 420.621-420.627, the following terms shall have the  
25 following meanings, unless the context otherwise requires:

26 (4) "Homeless" refers to an individual who lacks a  
27 fixed, regular, and adequate nighttime residence or an  
28 individual who has a primary nighttime residence that is:

29 (a) A supervised publicly or privately operated  
30 shelter designed to provide temporary living accommodations,  
31

1 including welfare hotels, congregate shelters, and  
2 transitional housing for the mentally ill;  
3 (b) An institution that provides a temporary residence  
4 for individuals intended to be institutionalized; or  
5 (c) A public or private place not designed for, or  
6 ordinarily used as, a regular sleeping accommodation for human  
7 beings.

8  
9 The term does not refer to any individual imprisoned or  
10 otherwise detained pursuant to state or federal law means  
11 having a nighttime residence+

12 ~~(a) In a public or private emergency shelter; such as,~~  
13 ~~an armory, school, church, government building or, where a~~  
14 ~~temporary voucher is provided by a public or private agency,~~  
15 ~~in a hotel, apartment, or boarding home.~~

16 ~~(b) On the streets or under a bridge or aqueduct, in a~~  
17 ~~park, subway, bus terminal, railroad station, airport,~~  
18 ~~abandoned building, or vehicle, or in any other public or~~  
19 ~~private space that is not designed for shelter.~~

20 Section 9. Section 420.622, Florida Statutes, is  
21 created to read:

22 420.622 State Office on Homelessness; Council on  
23 Homelessness.--

24 (1) The State Office on Homelessness is created within  
25 the Department of Children and Family Services to provide  
26 interagency, council, and other related coordination on issues  
27 relating to homelessness. An executive director of the office  
28 shall be appointed by the Governor.

29 (2) The Council on Homelessness is created to consist  
30 of a 15-member council of public and private agency  
31 representatives who shall develop policy and advise the State

1 Office on Homelessness. The council members shall be: the  
2 Secretary of Children and Family Services, or his or her  
3 designee; the Secretary of Community Affairs, or his or her  
4 designee; the Secretary of Health, or his or her designee; the  
5 Executive Director of Veterans' Affairs, or his or her  
6 designee; the Secretary of Corrections, or his or her  
7 designee; the Director of Workforce Florida, Inc., or his or  
8 her designee; one representative of the Florida Association of  
9 Counties; one representative of the Florida Coalition for  
10 Supportive Housing; the Executive Director of the Florida  
11 Housing Finance Corporation, or his or her designee; one  
12 representative of the Florida Coalition for the Homeless; one  
13 representative of the Florida State Rural Development Council;  
14 and four members appointed by the Governor. The council  
15 members shall be volunteer, nonpaid persons and shall be  
16 reimbursed for travel expenses only. The appointed members of  
17 the council shall serve staggered 2-year terms, and the  
18 council shall meet at least four times per year. The  
19 importance of minority, gender, and geographic representation  
20 must be considered when appointing members to the council.

21 (3) The State Office on Homelessness, pursuant to  
22 policy set by the council and subject to availability of  
23 funding, shall:

24 (a) Coordinate among state, local, and private  
25 agencies and providers to produce a statewide consolidated  
26 program and financial plan for the state's entire system of  
27 homeless programs which incorporates regionally developed  
28 plans. Such programs include, but are not limited to:

29 1. Programs authorized under the Stewart B. McKinney  
30 Homeless Assistance Act of 1987, 42 U.S.C. ss. 11371 et seq.,  
31 and carried out under funds awarded to this state; and

1           2. Programs, components thereof, or activities that  
2 assist persons who are homeless or at risk for homelessness.

3           (b) Collect, maintain, and make available information  
4 concerning persons who are homeless or at risk for  
5 homelessness, including demographics information, current  
6 services and resources available, the cost and availability of  
7 services and programs, and the met and unmet needs of this  
8 population. All entities that receive state funding must  
9 provide access to all data they maintain in summary form, with  
10 no individual identifying information, to assist the council  
11 in providing this information. The council shall explore the  
12 potential of creating a statewide management information  
13 system, encouraging the future participation of any bodies  
14 that are receiving awards or grants from the state, if such a  
15 system were adopted, enacted, and accepted by the state.

16           (c) Annually evaluate state and local services and  
17 resources and develop a consolidated plan for addressing the  
18 needs of the homeless or those at risk for homelessness.

19           (d) Explore, compile, and disseminate information  
20 regarding public and private funding sources for state and  
21 local programs serving the homeless and provide technical  
22 assistance in applying for such funding.

23           (e) Monitor and provide recommendations for  
24 coordinating the activities and programs of local coalitions  
25 for the homeless and promote the effectiveness of programs  
26 addressing the needs of the homeless.

27           (f) Provide technical assistance to facilitate efforts  
28 to establish, maintain, and expand local homeless assistance  
29 continuums of care.

30           (g) Develop and assist in the coordination of policies  
31 and procedures relating to the discharge or transfer from the

- 1 care or custody of state-supported or state-regulated entities  
2 persons who are homeless or at risk for homelessness.
- 3 (h) Spearhead outreach efforts for maximizing access  
4 by people who are homeless or at risk for homelessness to  
5 state and federal programs and resources.
- 6 (i) Promote a federal policy agenda responsive to the  
7 needs of the homeless population in this state.
- 8 (j) Develop outcome and accountability measures and  
9 promote and use such measures to evaluate program  
10 effectiveness and make recommendations for improving current  
11 practices in order to best meet the needs of the homeless.
- 12 (k) Formulate policies and legislative proposals to  
13 address more effectively the needs of the homeless and  
14 coordinate the implementation of state and federal legislative  
15 policies.
- 16 (l) Convene meetings and workshops of state and local  
17 agencies, local coalitions and programs, and other  
18 stakeholders for the purpose of developing and reviewing  
19 policies, services, activities, coordination, and funding of  
20 efforts to meet the needs of the homeless.
- 21 (m) Conduct or promote research on the effectiveness  
22 of current programs and propose pilot projects aimed at  
23 improving services.
- 24 (n) Serve as an advocate for issues relating to  
25 homelessness.
- 26 (o) Investigate ways to improve access to  
27 participation in state funding and other programs for  
28 prevention and alleviation of homelessness to faith-based  
29 organizations and collaborate and coordinate with faith-based  
30 organizations.
- 31



1       (4) Not less than 120 days after the effective date of  
2 this act, the State Office on Homelessness, with the  
3 concurrence of the Council on Homelessness, may accept and  
4 administer moneys appropriated to it to provide challenge  
5 grants annually to lead agencies for homeless assistance  
6 continuums of care designated by the State Office on  
7 Homelessness. A lead agency may be a local homeless coalition,  
8 municipal or county government, or other public agency or  
9 private not-for-profit corporation. Such grants may be up to  
10 \$500,000 per lead agency.

11       (a) To qualify for the grant, a lead agency must  
12 develop and implement a local homeless assistance continuum of  
13 care plan for its designated catchment area.

14       (b) Preference must be given to those lead agencies  
15 that have demonstrated the ability of their continuum of care  
16 to provide quality services to homeless persons and the  
17 ability to leverage federal homeless assistance funding under  
18 the Stewart B. McKinney Homeless Assistance Act and private  
19 funding for the provision of services to homeless persons.

20       (c) Preference must be given to lead agencies in  
21 catchment areas with the greatest need for the provision of  
22 housing and services to the homeless relative to the  
23 population of the catchment area.

24       (5) The State Office on Homelessness, with the  
25 concurrence of the Council on Homelessness, may administer  
26 moneys appropriated to it to provide homeless housing  
27 assistance grants annually to lead agencies for local homeless  
28 assistance continuum of care, as recognized by the State  
29 Office on Homelessness, to construct or rehabilitate  
30 transitional or permanent housing units for homeless persons.  
31 These moneys shall consist of any sums that the state may

1 appropriate, as well as moneys received from donations, gifts,  
2 bequests, or otherwise, from any public or private source,  
3 which moneys are intended to construct or rehabilitate  
4 transitional or permanent housing units for homeless persons.

5 (a) Grant applicants shall be ranked competitively.  
6 Preference shall be given to applicants who leverage  
7 additional private funds and public funds, particularly  
8 federal funds designated for the construction and  
9 rehabilitation of transitional or permanent housing for  
10 homeless persons, who build or rehabilitate the greatest  
11 number of units, and who build or rehabilitate in catchment  
12 areas having the greatest need for housing for the homeless  
13 relative to the population of the catchment area.

14 (b) Funding for any particular project may not exceed  
15 \$750,000.

16 (c) Projects shall reserve, for a minimum of 10 years,  
17 the number of units constructed or rehabilitated through  
18 homeless housing assistance grant funding to serve persons who  
19 are homeless at the time they assume tenancy.

20 (d) No more than two grants may be awarded annually in  
21 any given local homeless assistance continuum of care  
22 catchment area.

23 (e) A project may not be funded which is not included  
24 in the local homeless assistance continuum of care plan, as  
25 recognized by the State Office on Homelessness, for the  
26 catchment area in which the project is located.

27 (f) The maximum percentage of funds that the State  
28 Office on Homelessness and each applicant may spend on  
29 administrative costs is 5 percent.

30 (6) The State Office on Homelessness shall establish  
31 performance measures to evaluate the effective performance of

1 lead agencies that receive grant funds. Each lead agency for  
2 which grants are made under this section shall provide to the  
3 State Office on Homelessness a thorough evaluation of the  
4 effectiveness of the program in achieving its stated purpose.  
5 In evaluating the performance of the lead agencies, the State  
6 Office on Homelessness shall base its criteria upon the  
7 program objectives, goals, and priorities that were set forth  
8 by the lead agencies in their proposals for funding. Such  
9 criteria may include, but not be limited to, the numbers of  
10 homeless individuals provided shelter, food, counseling, and  
11 job training.

12 (7) The State Office on Homelessness shall monitor the  
13 challenge grants and homeless housing assistance grants to  
14 ensure proper expenditure of funds and compliance with the  
15 conditions of the applicant's contract.

16 (8) The Department of Children and Family Services,  
17 with input from the Council on Homelessness, shall adopt rules  
18 relating to the challenge grants and the homeless housing  
19 assistance grants and related issues consistent with the  
20 purposes of this section.

21 (9) The council shall, by December 31 of each year,  
22 issue to the Governor, the President of the Senate, the  
23 Speaker of the House of Representatives, and the Secretary of  
24 Children and Family Services an evaluation of the executive  
25 director's performance in fulfilling the statutory duties of  
26 the office, a report summarizing the council's recommendations  
27 to the office and corresponding actions taken by the office,  
28 and any recommendations to the Legislature for proposals to  
29 reduce homelessness in this state.

30 Section 10. Section 420.623, Florida Statutes, is  
31 amended to read:

1           420.623 Local coalitions for the homeless.--  
2           (1) ESTABLISHMENT.--The department shall establish ~~in~~  
3 ~~each of its service districts one or more~~ local coalitions to  
4 plan, network, coordinate, and monitor ~~oversee~~ the delivery of  
5 services to the homeless ~~in that district~~. Appropriate local  
6 groups and organizations involved in providing services for  
7 the homeless and interested business groups and associations  
8 shall be given an opportunity to participate in such  
9 coalitions, including, but not limited to:  
10           (a) Organizations and agencies providing mental health  
11 and substance abuse treatment ~~Community mental health centers~~.  
12           (b) County health departments and community health  
13 centers.  
14           (c) Organizations and agencies providing food,  
15 shelter, or other services targeted to the homeless.  
16           (d) Local law enforcement agencies.  
17           (e) Regional workforce boards ~~Local offices of the~~  
18 ~~Department of Labor and Employment Security~~.  
19           (f) County and municipal governments.  
20           (g) Local public housing authorities.  
21           (h) Local school districts.  
22           (i) Local organizations and agencies serving specific  
23 subgroups of the homeless population, including, but not  
24 limited to, those serving veterans, victims of domestic  
25 violence, persons with HIV/AIDS, and runaway youth.  
26           (j) Local community-based care alliances.  
27           (2) FUNCTIONS OF LOCAL COALITIONS.--Major functions of  
28 the local coalitions are ~~shall be~~ to:  
29           (a) Develop or assist with the development of the  
30 local homeless assistance continuum of care plan, as described  
31 in s. 420.624, for the catchment area containing the county or

1 region served by the local homeless coalition. Unless  
2 otherwise specified in the plan or as a result of an agreement  
3 with another coalition in the same catchment area, the local  
4 coalition shall serve as the lead agency for the local  
5 homeless assistance continuum of care.

6 (b) Discuss local issues related to homelessness and  
7 the needs of the homeless.

8 (c)~~(b)~~ Inventory all local resources for the homeless,  
9 including, but not limited to, food assistance, clothing,  
10 emergency shelter, low-cost housing, emergency medical care,  
11 counseling, training, and employment.

12 (d)~~(c)~~ Review and assess all services and programs in  
13 support of the homeless and identify unmet needs of the  
14 homeless.

15 (e)~~(d)~~ Facilitate Plan for the delivery of multiagency  
16 services for the homeless to eliminate duplication of services  
17 and to maximize the use of limited existing resources for the  
18 homeless.

19 (f)~~(e)~~ Develop new programs and services to fill  
20 critical service gaps, if necessary, through reallocation of  
21 existing resources for the homeless.

22 (g)~~(f)~~ Develop a community resource directory of  
23 services available to the homeless for use by agencies,  
24 volunteers, information and referral systems, and homeless  
25 persons.

26 (h)~~(g)~~ Develop public education and outreach  
27 initiatives to make homeless persons aware of the services  
28 available to them through community agencies and  
29 organizations.

30 (i)~~(h)~~ Identify and explore new approaches to shelter  
31 care for the homeless, ~~such as the use of vacant publicly~~

1 ~~owned buildings, vacant beds in assisted living facilities,~~  
2 ~~and vacant beds in foster homes, as resources for emergency~~  
3 ~~shelter care for homeless persons.~~

4 (j)~~(i)~~ Monitor and evaluate local homeless initiatives  
5 to assess their impact, to determine the adequacy of services  
6 available through such initiatives, and to identify additional  
7 unmet needs of homeless persons.

8 (k)~~(j)~~ Collect and compile information relating to the  
9 homeless population served and report on a regular basis, but  
10 at least annually, such information to the department, as  
11 directed by the department.

12 (l)~~(k)~~ Develop an annual report detailing the  
13 coalition's goals and activities ~~local plan of action which~~  
14 ~~shall include:~~

15 ~~1. The description, documentation, and priority~~  
16 ~~ranking of local needs related to the problems of~~  
17 ~~homelessness.~~

18 ~~2. A plan outlining steps to be taken in meeting~~  
19 ~~identified needs.~~

20 (m)~~3.~~ Develop spending plans pursuant to the  
21 grant-in-aid program created under s. 420.625. Spending plans  
22 shall include a competitive ranking of applications from local  
23 agencies eligible for funding pursuant to the provisions of s.  
24 420.625.

25 (n) Develop a strategy for increasing support and  
26 participation from local businesses in the coalition's  
27 programs and activities.

28 (3) DEPARTMENT GUIDELINES.--The department shall  
29 develop guidelines for coalition activities, coalition  
30 reports, and development of local plans of action.

31

1           (4) ANNUAL REPORTS.--The department shall submit to  
2 the Governor, the Speaker of the House of Representatives, and  
3 the President of the Senate, by June 30, ~~beginning in 1989,~~an  
4 annual report consisting of a compilation of data collected by  
5 local coalitions, progress made in the development and  
6 implementation of local homeless assistance continuum of care  
7 plans in each district, local spending plans, programs and  
8 resources available at the local level, and recommendations  
9 for programs and funding.

10           Section 11. Section 420.624, Florida Statutes, is  
11 created to read:

12           420.624 Local homeless assistance continuum of care.--

13           (1) A local homeless assistance continuum of care is a  
14 framework for a comprehensive and seamless array of emergency,  
15 transitional, and permanent housing and services to address  
16 the various needs of homeless persons and persons at risk for  
17 homelessness. The nature and configuration of housing and  
18 services may be unique to each community or region, depending  
19 on local needs, assets, and preferences.

20           (2) The purpose of a local homeless assistance  
21 continuum of care is to help communities or regions envision,  
22 plan, and implement comprehensive and long-term solutions to  
23 the problem of homelessness in a community or region.

24           (3) Communities or regions seeking to implement a  
25 local homeless assistance continuum of care are encouraged to  
26 develop and annually update a written plan that includes a  
27 vision for the continuum of care, an assessment of the supply  
28 of and demand for housing and services for the homeless  
29 population, and specific strategies and processes for  
30 providing the components of the continuum of care. The State  
31

1 Office on Homelessness shall supply a standardized format for  
2 the written plans.

3 (4) Each local homeless assistance continuum of care  
4 plan must designate a lead agency that will serve as the point  
5 of contact and accountability to the State Office on  
6 Homelessness. The lead agency may be a local homeless  
7 coalition, municipal or county government, or other public  
8 agency or private not-for-profit corporation.

9 (5) Continuum of care catchment areas must be  
10 designated and revised as necessary by the State Office on  
11 Homelessness, with the input of local homeless coalitions and  
12 public or private organizations that have previously certified  
13 to the United States Department of Housing and Urban  
14 Development and that currently serve as lead agencies for a  
15 local homeless assistance continuum of care. Designated  
16 catchment areas must not be overlapping. The designations must  
17 be consistent with those made by the United States Department  
18 of Housing and Urban Development in conjunction with the  
19 awarding of funding under the federal Stewart B. McKinney  
20 Homeless Assistance Act.

21 (6) The State Office on Homelessness shall recognize  
22 only one homeless assistance continuum of care plan and its  
23 designated lead agency for each designated catchment area. The  
24 recognition must be made with the input of local homeless  
25 coalitions and public or private organizations that have  
26 previously certified to the United States Department of  
27 Housing and Urban Development that they currently serve as  
28 lead agencies for a local homeless assistance continuum of  
29 care. The designations must be consistent with those made by  
30 the United States Department of Housing and Urban Development  
31



1 in conjunction with the awarding of funding under the federal  
2 Stewart B. McKinney Homeless Assistance Act.

3 (7) The components of a continuum of care shall  
4 include:

5 (a) Outreach, intake, and assessment procedures in  
6 order to identify the service and housing needs of an  
7 individual or family and to link the individual or family with  
8 appropriate housing, services, resources, and opportunities;

9 (b) Emergency shelter, in order to provide a safe,  
10 decent alternative to living in the streets;

11 (c) Transitional housing;

12 (d) Supportive services designed to assist in the  
13 development of the skills necessary to secure and retain  
14 permanent housing;

15 (e) Permanent supportive housing;

16 (f) Permanent housing;

17 (g) Linkages and referral mechanisms among all  
18 components to facilitate the movement of individuals and  
19 families toward permanent housing and self-sufficiency;

20 (h) Services and resources to prevent housed persons  
21 from becoming homeless or returning to homelessness;

22 (i) An ongoing planning mechanism to address the needs  
23 of all subgroups of the homeless population, including, but  
24 not limited to:

25 1. Single adult males;

26 2. Single adult females;

27 3. Families with children;

28 4. Families with no children;

29 5. Unaccompanied children and youth;

30 6. Elderly persons;

31 7. Persons with drug or alcohol addictions;

1           8. Persons with mental illness;  
2           9. Persons with dual or multiple physical or mental  
3 disorders;  
4           10. Victims of domestic violence; and  
5           11. Persons living with HIV/AIDS.  
6           (8) Continuum of care plans must promote participation  
7 by all interested individuals and organizations and may not  
8 exclude individuals and organizations on the basis of race,  
9 color, national origin, sex, handicap, familial status, or  
10 religion. Faith-based organizations shall be encouraged to  
11 participate. To the extent possible, these components should  
12 be coordinated and integrated with other mainstream health,  
13 social services, and employment programs for which homeless  
14 populations may be eligible, including Medicaid, the state  
15 children's health insurance program, the Temporary Assistance  
16 for Needy Families Program, food stamps, and services funded  
17 through the Substance Abuse and Mental Health Block Grant, the  
18 Workforce Investment Act, and the welfare-to-work grant  
19 program.

20           Section 12. Section 420.626, Florida Statutes, is  
21 created to read:

22           420.626 Homelessness; discharge guidelines for  
23 facilities providing mental illness or substance abuse  
24 services.--

25           (1) It is the intent of the Legislature to encourage  
26 mental health facilities or institutions under contract with  
27 or operated, licensed, or regulated by the state and local  
28 governments to ensure that persons leaving their care or  
29 custody are not discharged into homelessness.

30           (2) The following facilities and institutions are  
31 encouraged to develop and implement procedures designed to

1 reduce the discharge of persons into homelessness when such  
2 persons are admitted or housed for more than 24 hours at such  
3 facilities or institutions: hospitals and inpatient medical  
4 facilities, crisis stabilization units, residential treatment  
5 facilities, assisted living facilities, and detoxification  
6 centers.

7 (3) The procedures should include:

8 (a) Development and implementation of a screening  
9 process or other mechanism for identifying persons to be  
10 discharged from the facility or institution who are at  
11 considerable risk for homelessness or face some imminent  
12 threat to health and safety upon discharge;

13 (b) Development and implementation of a discharge plan  
14 addressing how identified persons may secure housing and other  
15 needed care and support upon discharge;

16 (c) Assessment of the capabilities of the entities to  
17 whom identified persons may potentially be discharged, and  
18 selection of the entity determined to be best equipped to  
19 provide or facilitate the provision of suitable care and  
20 support;

21 (d) Coordination of effort and sharing of information  
22 with entities that are expected to bear the responsibility for  
23 providing care or support to identified persons upon  
24 discharge; and

25 (e) Provision of sufficient medication, medical  
26 equipment and supplies, clothing, transportation, and other  
27 basic resources necessary to ensure that the health and  
28 well-being of identified persons are not jeopardized upon  
29 their discharge.

30 (4) This section is intended only to recommend model  
31 guidelines and procedures that mental health facilities or

1 institutions under contract with or operated, licensed, or  
2 regulated by the state and local governments may consider when  
3 discharging persons into the community. This section is not  
4 an entitlement, and no cause of action shall arise against the  
5 state, or a local government entity or other political  
6 subdivision of this state, for failure to follow any of the  
7 procedures or provide any of the services suggested under this  
8 section.

9           Section 13. Paragraph (a) of subsection (2) of section  
10 420.9075, Florida Statutes, is amended to read:

11           420.9075 Local housing assistance plans;  
12 partnerships.--

13           (2)(a) Each county and each eligible municipality  
14 participating in the State Housing Initiatives Partnership  
15 Program shall encourage the involvement of appropriate public  
16 sector and private sector entities as partners in order to  
17 combine resources to reduce housing costs for the targeted  
18 population. This partnership process should involve:

- 19           1. Lending institutions.
- 20           2. Housing builders and developers.
- 21           3. Nonprofit and other community-based housing and  
22 service organizations.
- 23           4. Providers of professional services relating to  
24 affordable housing.
- 25           5. Advocates for low-income persons, including, but  
26 not limited to, homeless persons, the elderly, and migrant  
27 farmworkers.
- 28           6. Real estate professionals.
- 29           7. Other persons or entities who can assist in  
30 providing housing or related support services.

31

1           Section 14. Present subsections (5), (6), (7), (8),  
2 and (9) of section 445.009, Florida Statutes, are renumbered  
3 as subsections (6), (7), (8), (9), and (10), respectively, and  
4 a new subsection (5) is added to said section to read:

5           445.009 One-stop delivery system.--

6           (5) To the extent possible, regional workforce boards  
7 shall include as partners in the local one-stop delivery  
8 system entities that provide programs or activities designed  
9 to meet the needs of homeless persons.

10          Section 15. The Office of Program Policy Analysis and  
11 Government Accountability shall conduct a review of, and  
12 prepare a report concerning, the economic impact of  
13 homelessness on local and state agencies. The report shall  
14 recommend changes to state agency practices which  
15 simultaneously save taxpayer dollars and improve the quality  
16 of life for homeless persons in the state. The report shall  
17 review practices of local governments, lead agencies, and  
18 other local entities providing services to homeless persons  
19 and recommend strategies to better coordinate service  
20 delivery. The report shall also recommend strategies to access  
21 federal funds for services to the homeless. The report shall  
22 be submitted by January 1, 2005, to the Governor, the  
23 President of the Senate, and the Speaker of the House of  
24 Representatives.

25          Section 16. The Legislature designates December 21,  
26 the first day of winter and the longest night of the year, as  
27 "Homeless Persons' Memorial Day," to bring attention to the  
28 tragedy of homelessness. The State Office on Homelessness,  
29 local homeless coalitions, and local governments are  
30 encouraged to sponsor events to promote awareness of the  
31 plight of the homeless and identify actions that individuals

1 and organizations may take to address the problem of  
2 homelessness.

3           Section 17. (1) The sum of \$3 million is appropriated  
4 to the State Office on Homelessness within the Department of  
5 Children and Family Services from the General Revenue Fund for  
6 fiscal year 2001-2002 to fund the challenge grants created in  
7 s. 420.622, Florida Statutes, and to fund administrative costs  
8 incurred by the State Office on Homelessness and the Council  
9 on Homelessness.

10           (2) The sum of \$625,000 is appropriated to the  
11 grant-in-aid program specified in s. 420.625, Florida  
12 Statutes, within the Department of Children and Family  
13 Services from the General Revenue Fund for fiscal year  
14 2001-2002 to fund one position in each of the 25 local  
15 homeless coalitions in Florida. Each coalition may receive up  
16 to \$25,000.

17           (3) The sum of \$197,668 is appropriated to the  
18 grant-in-aid program specified in s. 420.625, Florida  
19 Statutes, within the Department of Children and Family  
20 Services from the General Revenue Fund for fiscal year  
21 2001-2002 to fund an increase in its annual appropriation.

22           (4) The sum of \$5 million is transferred from the  
23 Local Government Housing Trust Fund of the Florida Housing  
24 Finance Corporation to the State Office on Homelessness within  
25 the Department of Children and Family Services to fund  
26 homeless housing assistance grants.

27           Section 18. This act shall take effect July 1, 2001.  
28  
29  
30  
31