

By the Committee on Comprehensive Planning, Local and Military Affairs; and Senators Constantine and Wasserman Schultz

316-765F-01

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

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

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 (d) Not one who is imprisoned, detained, or in the
30 custody of the state pursuant to a state or federal law.~~whose~~
31 ~~primary nighttime residence is in a supervised publicly or~~

1 ~~privately operated shelter for temporary accommodations or in~~
2 ~~a public or private place not designated for, or ordinarily~~
3 ~~used for, continuing human habitation.~~

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

6 232.03 Evidence of date of birth required.--Before
7 admitting a child to prekindergarten or kindergarten, the
8 principal shall require evidence that the child has attained
9 the age at which he or she should be admitted in accordance
10 with the provisions of s. 232.01. The superintendent may
11 require evidence of the age of any child whom he or she
12 believes to be within the limits of compulsory attendance as
13 provided for by law. If the first prescribed evidence is not
14 available, the next evidence obtainable in the order set forth
15 below shall be accepted:

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

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

29 232.0315 School-entry health examinations.--

30 (1) The school board of each district and the
31 governing authority of each nonpublic school shall require

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

18 Section 4. Paragraph (e) of subsection (3) of section
19 232.032, Florida Statutes, is amended to read:

20 232.032 Immunization against communicable diseases;
21 school attendance requirements; exemptions.--

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

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

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

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

9 420.5087 State Apartment Incentive Loan
10 Program.--There is hereby created the State Apartment
11 Incentive Loan Program for the purpose of providing first,
12 second, or other subordinated mortgage loans or loan
13 guarantees to sponsors, including for-profit, nonprofit, and
14 public entities, to provide housing affordable to
15 very-low-income persons.

16 (3) During the first 6 months of loan or loan
17 guarantee availability, program funds shall be reserved for
18 use by sponsors who provide the housing set-aside required in
19 subsection (2) for ~~tenants in the three~~ tenant groups
20 designated in this subsection. The reservation of funds to
21 each of these groups shall be determined using the most recent
22 statewide very-low-income rental housing market study
23 available at the time of publication of each notice of fund
24 availability required by paragraph (6)(b). The reservation of
25 funds within each notice of fund availability to the ~~three~~
26 tenant groups in paragraphs (a), (b), and (d) ~~designated in~~
27 ~~this subsection~~ may not be less than 10 percent of the funds
28 available at that time. The reservation of funds within each
29 notice of fund availability to the tenant group in paragraph
30 (c) may not be less than 5 percent of the funds available at
31 that time. Any increase in funding required to reach the

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

1 administrative costs, routine maintenance, or new
2 construction.

3 Section 6. Paragraph (e) of subsection (3) of section
4 420.511, Florida Statutes, is amended to read:

5 420.511 Business plan; strategic plan; annual
6 report.--

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

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

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

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

18 3. The average cost of producing units under each
19 program.

20 4. The average sales price of single-family units
21 financed under s. 420.5088.

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

24 6. The number of persons in rural communities served
25 under each program.

26 7. The number of farmworkers served under each
27 program.

28 8. The number of homeless persons served under each
29 program.

30 ~~9.8.~~ The number of elderly persons served under each
31 program.

1 10.9. The extent to which geographic distribution has
2 been achieved in accordance with the provisions of s.
3 420.5087.

4 11.10. Any other information the corporation deems
5 appropriate.

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

8 420.609 Affordable Housing Study Commission.--Because
9 the Legislature firmly supports affordable housing in Florida
10 for all economic classes:

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

14 (a) One citizen actively engaged in the residential
15 home building industry.

16 (b) One citizen actively engaged in the home mortgage
17 lending profession.

18 (c) One citizen actively engaged in the real estate
19 sales profession.

20 (d) One citizen actively engaged in apartment
21 development.

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

24 (f) Two citizens who represent very-low-income and
25 low-income persons.

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

28 (h) One citizen representing a community-based
29 organization with experience in housing development in a
30 community with a population of less than 50,000 persons.

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

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

4 (e) Stimulation of public and private cooperative
5 housing efforts;

6 (f) Implementation or expansion of the programs
7 authorized in this chapter;

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

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

13
14 In performing its analysis, the commission shall consider both
15 homeownership and rental housing as viable options for the
16 provision of housing. The commission shall also give
17 consideration to various types of residential construction,
18 including but not limited to, manufactured housing.

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

21 420.621 Definitions; ss. 420.621-420.627.--As used in
22 ss. 420.621-420.627, the following terms shall have the
23 following meanings, unless the context otherwise requires:

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

27 (a) A supervised publicly or privately operated
28 shelter designed to provide temporary living accommodations,
29 including welfare hotels, congregate shelters, and
30 transitional housing for the mentally ill;

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1 **(b) An institution that provides a temporary residence**
2 **for individuals intended to be institutionalized; or**

3 **(c) A public or private place not designed for, or**
4 **ordinarily used as, a regular sleeping accommodation for human**
5 **beings.**

6
7 **The term does not refer to any individual imprisoned or**
8 **otherwise detained pursuant to state or federal law.**~~means~~
9 ~~having a nighttime residence.~~

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

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

18 Section 9. Section 420.622, Florida Statutes, is
19 created to read:

20 **420.622 State Office on Homelessness; Council on**
21 **Homelessness.--**

22 **(1) The State Office on Homelessness is created as a**
23 **state unit housed for administrative purposes within the**
24 **Department of Children and Family Services. An executive**
25 **director of the office shall be appointed by the Governor,**
26 **with appropriate administrative oversight provided by the**
27 **Secretary of Children and Family Services, to provide**
28 **interagency, council, and other related coordination.**

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 and coordinate policy and**

1 advise the State Office on Homelessness. The council members
2 shall be: the Secretary of Children and Family Services, or
3 his or her designee; the Secretary of Community Affairs, or
4 his or her designee; the Secretary of Health, or his or her
5 designee; the Executive Director of Veterans' Affairs, or his
6 or her 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 council shall:

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

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

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

1 including, but not limited to, those provided under ss.

2 414.158, 414.16, 420.5087, 420.907-420.9079, 420.623, and

3 420.625.

4 (b) Collect, maintain, and make available information

5 concerning persons who are homeless or at-risk for

6 homelessness, including demographics information, current

7 services and resources available, the cost and availability of

8 services and programs, and the met and unmet needs of this

9 population. All entities that receive state funding must

10 provide access to all data they maintain in summary form, with

11 no individual identifying information, to assist the council

12 in providing this information. The council shall explore the

13 potential of creating a statewide Management Information

14 System (MIS), encouraging the future participation of any

15 bodies that are receiving awards or grants from the state, if

16 such a system were adopted, enacted, and accepted by the

17 state.

18 (c) Annually evaluate state and local services and

19 resources and develop a consolidated plan for addressing the

20 needs of the homeless or those at-risk for homelessness.

21 (d) Explore, compile, and disseminate information

22 regarding public and private funding sources for state and

23 local programs serving the homeless and provide technical

24 assistance in applying for such funding.

25 (e) Monitor and provide recommendations for

26 coordinating the activities and programs of local coalitions

27 for the homeless and promote the effectiveness of programs

28 addressing the needs of the homeless.

29 (f) Provide technical assistance to facilitate efforts

30 to establish, maintain, and expand local homeless assistance

31 continuums of care.

1 (g) Develop and assist in the coordination of policies
2 and procedures relating to the discharge or transfer from the
3 care or custody of state-supported or state-regulated entities
4 persons who are homeless or at-risk for homelessness.

5 (h) Spearhead outreach efforts for maximizing access
6 by people who are homeless or at-risk for homelessness to
7 state and federal programs and resources.

8 (i) Promote a federal policy agenda responsive to the
9 needs of the homeless population in this state.

10 (j) Develop outcome and accountability measures and
11 promote and use such measures to evaluate program
12 effectiveness and make recommendations for improving current
13 practices in order to best meet the needs of the homeless.

14 (k) Formulate policies and legislative proposals to
15 address more effectively the needs of the homeless and
16 coordinate the implementation of state and federal legislative
17 policies.

18 (l) Convene meetings and workshops of state and local
19 agencies, local coalitions and programs, and other
20 stakeholders for the purpose of developing and reviewing
21 policies, services, activities, coordination, and funding of
22 efforts to meet the needs of the homeless.

23 (m) Conduct or promote research on the effectiveness
24 of current programs and propose pilot projects aimed at
25 improving services.

26 (n) Serve as an advocate for issues relating to
27 homelessness.

28 (o) Investigate ways to improve access to
29 participation in state funding and other programs for
30 prevention and alleviation of homelessness to faith-based
31

1 organizations and collaborate and coordinate with faith-based
2 organizations.

3 (4) Not less than 120 days after the effective date of
4 this act, the State Office on Homelessness, with the
5 concurrence of the Council on Homelessness, may accept and
6 administer moneys appropriated to it to provide "Challenge
7 Grants" annually to lead agencies for homeless assistance
8 continuums of care designated by the State Office on
9 Homelessness. A lead agency may be a local homeless coalition,
10 municipal or county government, or other public agency or
11 private, not-for-profit corporation. Such grants may be up to
12 \$500,000 per lead agency.

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

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

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

26 (5) The State Office on Homelessness, with the
27 concurrence of the Council on Homelessness, may administer
28 moneys appropriated to it to provide homeless housing
29 assistance grants annually to lead agencies for local homeless
30 assistance continuum of care, as recognized by the State
31 Office on Homelessness, to construct or rehabilitate

1 transitional or permanent housing units for homeless persons.
2 These moneys shall consist of any sums that the state may
3 appropriate, as well as money received from donations, gifts,
4 bequests, or otherwise from any public or private source,
5 which money is intended to construct or rehabilitate
6 transitional or permanent housing units for homeless persons.

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

16 (b) Funding for any particular project may not exceed
17 \$750,000.

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

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

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

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

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

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

18 (8) The Department of Children and Family Services,
19 with input from the Florida Housing Finance Corporation when
20 appropriate, must adopt rules relating to the challenge grants
21 and the homeless housing assistance grants and related issues
22 consistent with the purposes of this section.

23 (9) The council and the Department of Children and
24 Family Services may contract with private entities for staff
25 services and the provision of the functions set out in
26 subsection (3).

27 (10) The council shall, by December 31 of each year,
28 issue to the Governor, the President of the Senate, the
29 Speaker of the House of Representatives, and the Secretary of
30 Children and Family Services an evaluation of the executive
31 director's performance in fulfilling the statutory duties of

1 the council and a report summarizing the council's activities
2 and making recommendations for reducing homelessness in this
3 state.

4 Section 10. Section 420.623, Florida Statutes, is
5 amended to read:

6 420.623 Local coalitions for the homeless.--

7 (1) ESTABLISHMENT.--The department shall establish in
8 ~~each of its service districts one or more~~ local coalitions to
9 plan, network, coordinate, and monitor ~~oversee~~ the delivery of
10 services to the homeless in that district. Appropriate local
11 groups and organizations involved in providing services for
12 the homeless and interested business groups and associations
13 shall be given an opportunity to participate in such
14 coalitions, including, but not limited to:

15 (a) Organizations and agencies providing mental health
16 and substance abuse treatment ~~Community mental health centers.~~

17 (b) County health departments and community health
18 centers.

19 (c) Organizations and agencies providing food,
20 shelter, or other services targeted to the homeless.

21 (d) Local law enforcement agencies.

22 (e) Regional workforce boards ~~Local offices of the~~
23 ~~Department of Labor and Employment Security.~~

24 (f) County and municipal governments.

25 (g) Local public housing authorities.

26 (h) Local school districts.

27 (i) Local organizations and agencies serving specific
28 subgroups of the homeless population, including, but not
29 limited to, those serving veterans, victims of domestic
30 violence, person with HIV/AIDS, and runaway youth.

31 (j) Local community-based care alliances.

1 (2) FUNCTIONS OF LOCAL COALITIONS.--Major functions of
2 the local coalitions are ~~shall be~~ to:

3 (a) Develop or assist with the development of the
4 local homeless continuum of care plan, as described in s.
5 420.624, for the catchment area containing the county or
6 region served by the local homeless coalition. Unless
7 otherwise specified in the plan or as a result of an agreement
8 with another coalition in the same catchment area, the local
9 coalition shall serve as the lead agency for the local
10 homeless assistance continuum of care.

11 (b) Discuss local issues related to homelessness and
12 the needs of the homeless.

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

17 (d)~~(c)~~ Review and assess all services and programs in
18 support of the homeless and identify unmet needs of the
19 homeless.

20 (e)~~(d)~~ Facilitate ~~Plan for~~ the delivery of multiagency
21 services for the homeless to eliminate duplication of services
22 and to maximize the use of limited existing resources for the
23 homeless.

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

27 (g)~~(f)~~ Develop a community resource directory of
28 services available to the homeless for use by agencies,
29 volunteers, information and referral systems, and homeless
30 persons.

31

1 (h)~~(g)~~ Develop public education and outreach
2 initiatives to make homeless persons aware of the services
3 available to them through community agencies and
4 organizations.

5 (i)~~(h)~~ Identify and explore new approaches to shelter
6 care for the homeless, ~~such as the use of vacant publicly~~
7 ~~owned buildings, vacant beds in assisted living facilities,~~
8 ~~and vacant beds in foster homes, as resources for emergency~~
9 ~~shelter care for homeless persons.~~

10 (j)~~(i)~~ Monitor and evaluate local homeless initiatives
11 to assess their impact, to determine the adequacy of services
12 available through such initiatives, and to identify additional
13 unmet needs of homeless persons.

14 (k)~~(j)~~ Collect and compile information relating to the
15 homeless population served and report on a regular basis, but
16 at least annually, such information to the department, as
17 directed by the department.

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

21 1. ~~The description, documentation, and priority~~
22 ~~ranking of local needs related to the problems of~~
23 ~~homelessness.~~

24 2. ~~A plan outlining steps to be taken in meeting~~
25 ~~identified needs.~~

26 (m)~~3.~~ Develop spending plans pursuant to the
27 grant-in-aid program created under s. 420.625. Spending plans
28 shall include a competitive ranking of applications from local
29 agencies eligible for funding pursuant to the provisions of s.
30 420.625.

31

1 (n) Develop a strategy for increasing support and
2 participation from local businesses in the coalition's
3 programs and activities.

4 (3) DEPARTMENT GUIDELINES.--The department shall
5 develop guidelines for coalition activities, coalition
6 reports, and development of local plans of action.

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

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

18 420.624 Local homeless assistance continuum of care.--

19 (1) A local homeless assistance continuum of care is a
20 framework for a comprehensive and seamless array of emergency,
21 transitional, and permanent housing, and services to address
22 the various needs of homeless persons and persons at-risk for
23 homelessness. The nature and configuration of housing and
24 services may be unique to each community or region, depending
25 on local needs, assets, and preferences.

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

30 (3) Communities or regions seeking to implement a
31 local homeless assistance continuum of care are encouraged to

1 develop and annually update a written plan that includes a
2 vision for the continuum of care, an assessment of the supply
3 of and demand for housing and services for the homeless
4 population, and specific strategies and processes for
5 providing the components of the continuum of care. The State
6 Office on Homelessness shall supply a standardized format for
7 written plans.

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

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

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

1 for a local homeless assistance continuum of care. The
2 designations must be consistent with those made by the U.S.
3 Department of Housing and Development in conjunction with the
4 awarding of federal Stewart B. McKinney homeless assistance
5 funding.

6 (7) The components of a continuum of care should
7 include:

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

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

14 (c) Transitional housing;

15 (d) Supportive services, designed to assist with the
16 development of the skills necessary to secure and retain
17 permanent housing;

18 (e) Permanent supportive housing;

19 (f) Permanent housing;

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

23 (h) Services and resources to prevent housed persons
24 from becoming or returning to homelessness;

25 (i) An ongoing planning mechanism to address the needs
26 of all subgroups of the homeless population, including but not
27 limited to:

28 1. Single adult males;

29 2. Single adult females;

30 3. Families with children;

31 4. Families with no children;

- 1 5. Unaccompanied children and youth;
- 2 6. Elderly persons;
- 3 7. Persons with drug or alcohol addictions;
- 4 8. Person with mental illness;
- 5 9. Persons with dual or multiple disorders;
- 6 10. Victims of domestic violence; and
- 7 11. Persons living with HIV/AIDS.

8 (7) Continuum of care plans must promote participation
9 by all interested individuals and organizations and may not
10 exclude individuals and organizations on the basis of race,
11 color, national origin, sex, handicap, familial status, or
12 religion. Faith-based organizations must be encouraged to
13 participate. To the extent possible, these components should
14 be coordinated and integrated with other mainstream health,
15 social services, and employment programs for which homeless
16 populations may be eligible, including Medicaid, State
17 Children's Health Insurance Program, Temporary Assistance for
18 Needy Families, Food Stamps, and services funded through the
19 Mental Health and Substance Abuse Block Grant, the Workforce
20 Investment Act, and the welfare-to-work grant program.

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

23 420.626 Homelessness; discharge guidelines for mental
24 health facilities.--

25 (1) It is the intent of the Legislature, to encourage
26 mental health facilities or institutions under contract with,
27 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 housed for more than 24 hours
2 at such facilities or institutions into homelessness:
3 hospitals and inpatient medical facilities; crisis
4 stabilization units; residential treatment facilities;
5 assisted living facilities; and detoxification centers.

6 (3) The procedures should include:

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

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

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

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

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

29 Section 13. Paragraph (a) of subsection (2) of section
30 420.9075, Florida Statutes, is amended to read:

31

1 420.9075 Local housing assistance plans;
2 partnerships.--

3 (2)(a) Each county and each eligible municipality
4 participating in the State Housing Initiatives Partnership
5 Program shall encourage the involvement of appropriate public
6 sector and private sector entities as partners in order to
7 combine resources to reduce housing costs for the targeted
8 population. This partnership process should involve:

- 9 1. Lending institutions.
- 10 2. Housing builders and developers.
- 11 3. Nonprofit and other community-based housing and
12 service organizations.
- 13 4. Providers of professional services relating to
14 affordable housing.
- 15 5. Advocates for low-income persons, including, but
16 not limited to, homeless people, the elderly, and migrant
17 farmworkers.
- 18 6. Real estate professionals.
- 19 7. Other persons or entities who can assist in
20 providing housing or related support services.

21 Section 14. Present subsections (5), (6), (7), (8),
22 and (9) of section 445.009, Florida Statutes, are redesignated
23 as subsections (6), (7), (8), (9), and (10), respectively, and
24 new subsection (5) is added to that section to read:

25 445.009 One-stop delivery system.--
26 (5) To the extent possible, regional workforce boards
27 shall include as partners in the local one-stop delivery
28 system entities that provide programs or activities designed
29 to meet the needs of homeless persons.

30 Section 15. The Office of Program, Policy Analysis,
31 and Government Accountability shall conduct a review of, and

1 prepare a report concerning, the economic impact of
2 homelessness on local and state agencies in the state. The
3 report must recommend changes to state agency practices which
4 simultaneously save taxpayer dollars and improve the quality
5 of life for homeless persons in the state. The report must
6 review practices of local governments, lead agencies, and
7 other local entities, providing services to homeless persons,
8 and recommend strategies to better coordinate service
9 delivery. The report must also recommend strategies to access
10 federal funds for services to the homeless. The report must be
11 submitted by January 1, 2005, to the Governor, the President
12 of the Senate, and the Speaker of the House of
13 Representatives.

14 Section 16. The Legislature designates December 21,
15 the first day of winter and the longest night of the year as a
16 Homeless Persons' Memorial Day to bring attention to the
17 tragedy of homelessness. The State Office on Homelessness,
18 local homeless coalitions, and local governments are
19 encouraged to sponsor events to promote awareness of the
20 plight of the homeless and identify actions that individuals
21 and organizations can take to address the problem of
22 homelessness.

23 Section 17. (1) The sum of \$3 million is appropriated
24 to the State Office on Homelessness, Department of Children
25 and Family Services, from the General Revenue Fund for fiscal
26 year 2001-2002 to fund "Challenge Grants" created in section
27 420.622, Florida Statutes, and to fund administrative costs
28 incurred by the State Office on Homelessness and the Council
29 on Homelessness.

30 (2) The sum of \$625,000 is appropriated to the
31 grant-in-aid program specified in section 420.625, Florida

1 Statutes, within the Department of Children and Family
2 Services from the General Revenue Fund for fiscal year
3 2001-2002 to fund one position in each of the 25 homeless
4 coalitions in Florida. Each coalition may receive up to
5 \$25,000.

6 (3) The sum of \$197,668 is appropriated to the
7 grant-in-aid program specified in section 420.625, Florida
8 Statutes, within the Department of Children and Family
9 Services from the General Revenue Fund for fiscal year
10 2001-2002 to fund an increase in its annual appropriation.

11 (4) The sum of \$5 million is transferred from the
12 Local Housing Assistance Trust Fund of the Florida Housing
13 Finance Corporation to the State Office on Homelessness within
14 the Department of Children and Family Services to fund
15 Homeless Housing Assistance grants.

16 Section 18. This act shall take effect July 1, 2001.

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1 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
2 COMMITTEE SUBSTITUTE FOR
3 SB 446

4 This Committee Substitute includes the substance of SB 446 and
5 includes the following additional provisions:

6 Amends s. 420.5087, F.S., to reserve 5 percent, instead of 10
7 percent provided in the bill as filed, of State Apartment
8 Incentive loan Program (SAIL) funds for housing programs
9 serving homeless persons.

10 Amends s. 420.609, F.S., to revise the membership of the
11 Affordable housing Study Commission, to include a
12 representative from a local housing authority and a citizen
13 representing the housing interests of homeless persons.

14 Provides whereas clauses to describe the plight of homeless
15 persons, the economic impact of homelessness on the state, the
16 conclusions of the Florida Homeless Study Commission, and the
17 need for coordinated action by the state and communities to
18 solve the homeless crisis.

19 Amends s. 228.041(35), F.S., to redefine "homeless child" for
20 use in the Florida School Code.

21 Amends s. 232.03(7), 232.0315(1), and s. 232.032, F.S., to
22 require school districts to grant homeless children a 30
23 school day grace period for submitting proof of age,
24 certification of a school-entry health examination, and
25 certification of immunization for the prevention of
26 communicable diseases, all of which are conditions of
27 registering for school.

28 Amends s. 420.511, F.S., to require the annual report of
29 Florida Housing Finance Corporation to list the number of
30 homeless persons served under each housing program
31 administered by the corporation.

Amends s. 420.621(4), F.S., to revise the definition of
homeless, consistent with the definition in federal law.

Authorizes annual "Challenge Grants" of up to \$500,000 to
agencies providing homeless assistance continuums of care, and
annual "Homeless Housing Assistance Grants" of up to \$750,000
to agencies to construct or rehabilitate transitional or
permanent housing for homeless persons.

Amends s. 420.623, F.S., to revise the provisions relating to
the organizations participating in local coalitions for the
homeless, and to expand the functions and requirements of the
coalitions.

Creates s. 420.624, F.S., to encourage communities to adopt a
local homeless assistance continuum of care -- an integrated,
comprehensive service delivery system to the homeless and
persons at risk for homelessness.

Creates s. 420.626, F.S., to encourage mental health
facilities to ensure that persons leaving their care or

1 custody are not discharged into homelessness.

2 Amends s. 420.9075(2), F.S., to encourage SHIP recipients to
3 partner with representatives of the homeless, elderly, and
4 farm workers in the development of local housing programs.

5 Amends s. 445.009, F.S., to require regional workforce boards
6 to consider including homeless service providers as partners
7 in the local One-Stop Delivery system.

8 Requires OPPAGA to study the economic impact of homelessness
9 on state and local agencies in Florida, with a report due by
10 January 1, 2005.

11 Designates December 21, the first day of winter and the
12 longest night of the year, as the Homeless Persons' Memorial
13 Day to bring attention to the tragedy of homelessness.

14 Appropriates \$3.0 million to the State Office of Homeless
15 Affairs, Department of Children and Family Services from the
16 General Revenue Fund for fiscal year 2001-2002 to fund
17 "Challenge Grants" created in this bill, and to fund
18 administrative costs incurred by the Office on Homelessness
19 and the Council on Homelessness.

20 Appropriates \$625,000 to the grant and aid program within the
21 Department of Children and Families Services from the General
22 Revenue Fund for fiscal year 2001-2002 to fund one position in
23 each of the 25 homelessness coalitions in Florida. Each
24 coalition is eligible to receive \$25,000.

25 Appropriates \$197,668 to the Department of Children and
26 Families Services from the General Revenue Fund for fiscal
27 year 2001-2002 to fund an increase in their annual
28 appropriation for homeless services. This represents a 20
29 percent increase in the 2000-01 appropriation, which is
30 \$988,322.

31 Transfers \$5 million from the local housing assistance trust
fund to the Office of Homeless Affairs within the Department
of Children and Family Services to fund Homeless Housing
Assistance grants as created in this bill.