

By the Committees on Appropriations; Children and Families;
Comprehensive Planning, Local and Military Affairs; and
Senators Constantine, Wasserman Schultz and Saunders

316-1539A-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. 420.5092,
12 F.S.; increasing the amount of revenue bonds
13 the Florida Housing Finance Corporation may
14 issue for the corporation's guarantee fund;
15 amending s. 420.511, F.S.; revising reporting
16 requirements of the Florida Housing Finance
17 Corporation; amending s. 420.609, F.S.;
18 relating to the Affordable Housing Study
19 Commission; revising the membership of the
20 commission; requiring the commission to analyze
21 how to address the acute need for housing for
22 the homeless; amending s. 420.621, F.S.;
23 redefining the term "homeless"; creating s.
24 420.622, F.S.; creating the State Office on
25 Homelessness within the Department of Children
26 and Family Services; authorizing the Governor
27 to appoint an executive director for the State
28 Office on Homelessness; creating the Council on
29 Homelessness; providing for council membership;
30 providing for council members to be reimbursed
31 for travel expenses; providing for grants for

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

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1 WHEREAS, the Florida Homeless Study Commission has
2 revealed that homelessness has been steadily increasing for
3 several years and constitutes, especially for the mentally
4 ill, an archaic form of human misery that can no longer be
5 tolerated in this, the world's greatest and most responsive
6 democracy, and

7 WHEREAS, homelessness creates a sizable drain on social
8 and economic resources and is a frustration to legitimate
9 commerce and an obstacle to community development, and

10 WHEREAS, prevention of future homelessness will pay
11 great dividends to all Floridians that will justify the effort
12 and costs of instituting a statewide plan to relieve
13 homelessness, and

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

21 WHEREAS, the Department of Children and Family Services
22 has concluded that Florida homeless persons number at least
23 57,400 at any given time, and fall into one or more of the
24 following categories: women and their children; the mentally
25 ill; military veterans; and drug or alcohol addicts, and

26 WHEREAS, the commission found the causes of
27 homelessness to be numerous and complex and therefore the cure
28 cannot be simplistic and cannot exclusively address any single
29 issue or causative factor, and

30 WHEREAS, due to the lack of resources, many local
31 governments throughout the State of Florida have not focused

1 on the obstacles that need to be overcome to solve the problem
2 of homelessness, and

3 WHEREAS, it is absolutely necessary that any
4 meaningful, comprehensive plan for the eradication or
5 significant reduction of homelessness be a partnership between
6 the state and local governments to draw upon the "best
7 practices" of local model practices to achieve a permanent,
8 uniform, and integrated state strategy, NOW, THEREFORE,

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

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

14 228.041 Definitions.--Specific definitions shall be as
15 follows, and wherever such defined words or terms are used in
16 the Florida School Code, they shall be used as follows:

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

18 (a) One who lacks a fixed, regular nighttime
19 residence.

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

21 1. A supervised publicly or privately operated shelter
22 designed to provide temporary living accommodations, including
23 welfare hotels, congregate shelters, and transitional housing
24 for the mentally ill;

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

27 3. A public or private place not designed for, or
28 ordinarily used as, a regular sleeping accommodation for human
29 beings.

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

4 (d) Not one who is imprisoned, detained, or in the
5 custody of the state pursuant to a state or federal law.~~whose~~
6 ~~primary nighttime residence is in a supervised publicly or~~
7 ~~privately operated shelter for temporary accommodations or in~~
8 ~~a public or private place not designated for, or ordinarily~~
9 ~~used for, continuing human habitation.~~

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

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

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

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1 228.041, shall be given temporary exemption from this section
2 for 30 school days.

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

5 232.0315 School-entry health examinations.--

6 (1) The school board of each district and the
7 governing authority of each nonpublic school shall require
8 that each child who is entitled to admittance to
9 prekindergarten or kindergarten, or is entitled to any other
10 initial entrance into a public or nonpublic school in this
11 state, present a certification of a school-entry health
12 examination performed within 1 year prior to enrollment in
13 school. The school board of each district, and the governing
14 authority of each nonpublic school, may establish a policy
15 which permits a student up to 30 school days to present a
16 certification of a school-entry health examination. A homeless
17 child, as defined in s. 228.041, shall be given a temporary
18 exemption for 30 school days.Any school board which

19 establishes such a policy shall include provisions in its
20 local school health services plan to assist students in
21 obtaining the health examinations. However, any child shall be
22 exempt from the requirement of a health examination upon
23 written request of the parent or guardian of such child
24 stating objections to such examination on religious grounds.

25 Section 4. Paragraph (e) of subsection (3) of section
26 232.032, Florida Statutes, is amended to read:

27 232.032 Immunization against communicable diseases;
28 school attendance requirements; exemptions.--

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

30 (e) An authorized school official issues a temporary
31 exemption, for a period not to exceed 30 school days, to

1 permit a child who transfers into a new county to attend class
2 until his or her records can be obtained. A homeless child, as
3 defined in s. 228.041, shall be given a temporary exemption
4 for 30 school days.The public school health nurse or
5 authorized nonpublic school official is responsible for
6 followup of each such child until proper documentation or
7 immunizations are obtained. An exemption for 30 days may be
8 issued for a child who enters a juvenile justice program to
9 permit the child to attend class until his or her records can
10 be obtained or until the immunizations can be obtained. An
11 authorized juvenile justice official is responsible for
12 followup of each child who enters a juvenile justice program
13 until proper documentation or immunizations are obtained.

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

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

23 (3) During the first 6 months of loan or loan
24 guarantee availability, program funds shall be reserved for
25 use by sponsors who provide the housing set-aside required in
26 subsection (2) for ~~tenants in the three~~ tenant groups
27 designated in this subsection. The reservation of funds to
28 each of these groups shall be determined using the most recent
29 statewide very-low-income rental housing market study
30 available at the time of publication of each notice of fund
31 availability required by paragraph (6)(b). The reservation of

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

1 rule, the procedure and criteria for receiving, evaluating,
2 and competitively ranking all applications for loans under
3 this paragraph ~~subparagraph~~. A loan application must include
4 evidence of the first mortgagee's having reviewed and approved
5 the sponsor's intent to apply for a loan. A nonprofit
6 organization or sponsor may not use the proceeds of the ~~a~~ loan
7 ~~received pursuant to this subparagraph~~ to pay for
8 administrative costs, routine maintenance, or new
9 construction.

10 Section 6. Subsections (2) and (11) of section
11 420.5092, Florida Statutes, are amended to read:

12 420.5092 Florida Affordable Housing Guarantee
13 Program.--

14 (2) As used in this section, the term:

15 (a) "Affordable housing guarantee" means an obligation
16 of the guarantee fund to guarantee the payment of an
17 obligation made to finance or refinance the purchase,
18 construction, or rehabilitation of eligible housing.

19 (b) "Annual debt service reserve" means the reserve
20 maintained in the guarantee fund in an amount equal to the
21 maximum reserve amount for each series of revenue bonds issued
22 to establish the guarantee fund.

23 (c) "Corporation" means the Florida Housing Finance
24 Corporation.

25 (d) "Eligible housing" means any real and personal
26 property designed and intended for the primary purpose of
27 providing decent, safe, and sanitary residential units for
28 homeownership or rental for eligible persons, including
29 housing for the homeless, as determined by the corporation
30 pursuant to rule.

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1 (e) "Guarantee fund" means the Affordable Housing
2 Guarantee Fund created and established with proceeds of
3 revenue bonds issued by the corporation or its predecessor
4 pursuant to this section to implement the Florida Affordable
5 Housing Guarantee Program.

6 (f) "Maximum reserve amount" means, for each series of
7 outstanding revenue bonds issued to establish the guarantee
8 fund, the largest aggregate amount of annual principal
9 installments and interest payments becoming due in any state
10 fiscal year in which the revenue bonds are outstanding.

11 (11) The maximum total amount of revenue bonds that
12 may be issued by the corporation pursuant to subsection (5) is
13 ~~\$400~~\$200 million.

14 Section 7. Paragraph (e) of subsection (3) of section
15 420.511, Florida Statutes, is amended to read:

16 420.511 Business plan; strategic plan; annual
17 report.--

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

22 (e) Information relating to the corporation's
23 activities in implementing the provisions of ss. 420.5087 and
24 420.5088. The report required by this subsection shall
25 include, but not be limited to:

- 26 1. The number of people served, delineated by income,
27 age, family size, and racial characteristics.
- 28 2. The number of units produced under each program.
- 29 3. The average cost of producing units under each
30 program.

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1 4. The average sales price of single-family units
2 financed under s. 420.5088.

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

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

7 7. The number of farmworkers served under each
8 program.

9 8. The number of homeless persons served under each
10 program.

11 ~~9.8.~~ The number of elderly persons served under each
12 program.

13 ~~10.9.~~ The extent to which geographic distribution has
14 been achieved in accordance with the provisions of s.
15 420.5087.

16 ~~11.10.~~ Any other information the corporation deems
17 appropriate.

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

20 420.609 Affordable Housing Study Commission.--Because
21 the Legislature firmly supports affordable housing in Florida
22 for all economic classes:

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

26 (a) One citizen actively engaged in the residential
27 home building industry.

28 (b) One citizen actively engaged in the home mortgage
29 lending profession.

30 (c) One citizen actively engaged in the real estate
31 sales profession.

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

1 for housing for the homeless; for very-low-income, low-income,
2 and moderate-income persons; and for elderly persons,
3 including programs or proposals which provide for:

4 (a) Offering ~~of~~ low-interest and zero-interest loans
5 for the development or rehabilitation of housing;

6 (b) Use of publicly owned lands and buildings as
7 affordable housing sites;

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

10 (d) Streamlining ~~of~~ the various state, regional, and
11 local regulations, and housing and building codes governing
12 the housing industry;

13 (e) Stimulation of public and private cooperative
14 housing efforts;

15 (f) Implementation or expansion of the programs
16 authorized in this chapter;

17 (g) Discovery and assessment of ~~sources of~~ funding
18 sources for low-cost housing construction and rehabilitation;
19 and

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

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23 In performing its analysis, the commission shall consider both
24 homeownership and rental housing as viable options for the
25 provision of housing. The commission shall also give
26 consideration to various types of residential construction,
27 including but not limited to, manufactured housing.

28 Section 9. Subsection (4) of section 420.621, Florida
29 Statutes, is amended to read:

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1 420.621 Definitions; ss. 420.621-420.627.--As used in
2 ss. 420.621-420.627, the following terms shall have the
3 following meanings, unless the context otherwise requires:

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

7 (a) A supervised publicly or privately operated
8 shelter designed to provide temporary living accommodations,
9 including welfare hotels, congregate shelters, and
10 transitional housing for the mentally ill;

11 (b) An institution that provides a temporary residence
12 for individuals intended to be institutionalized; or

13 (c) A public or private place not designed for, or
14 ordinarily used as, a regular sleeping accommodation for human
15 beings.

16
17 The term does not refer to any individual imprisoned or
18 otherwise detained pursuant to state or federal law.~~means~~
19 ~~having a nighttime residence:~~

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

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

28 Section 10. Section 420.622, Florida Statutes, is
29 created to read:

30 420.622 State Office on Homelessness; Council on
31 Homelessness.--

1 (1) The State Office on Homelessness is created within
2 the Department of Children and Family Services to provide
3 interagency, council, and other related coordination on
4 homeless issues. An executive director of the office shall be
5 appointed by the Governor.

6 (2) The Council on Homelessness is created to consist
7 of a 15-member council of public and private agency
8 representatives who shall develop policy and advise the State
9 Office on Homelessness. The council members shall be: the
10 Secretary of Children and Family Services, or his or her
11 designee; the Secretary of Community Affairs, or his or her
12 designee; the Secretary of Health, or his or her designee; the
13 Executive Director of Veterans' Affairs, or his or her
14 designee; the Secretary of Corrections, or his or her
15 designee; the Director of Workforce Florida, Inc., or his or
16 her designee; one representative of the Florida Association of
17 Counties; one representative of the Florida Coalition for
18 Supportive Housing; the Executive Director of the Florida
19 Housing Finance Corporation, or his or her designee; one
20 representative of the Florida Coalition for the Homeless; one
21 representative of the Florida State Rural Development Council;
22 and four members appointed by the Governor. The council
23 members shall be volunteer, nonpaid persons and shall be
24 reimbursed for travel expenses only. The appointed members of
25 the council shall serve staggered 2-year terms, and the
26 council shall meet at least four times per year. The
27 importance of minority, gender, and geographic representation
28 must be considered when appointing members to the council.

29 (3) The State Office on Homelessness, pursuant to the
30 policies set by the council and subject to the availability of
31 funding, shall:

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

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

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

11 (b) Collect, maintain, and make available information
12 concerning persons who are homeless or at-risk for
13 homelessness, including demographics information, current
14 services and resources available, the cost and availability of
15 services and programs, and the met and unmet needs of this
16 population. All entities that receive state funding must
17 provide access to all data they maintain in summary form, with
18 no individual identifying information, to assist the council
19 in providing this information. The council shall explore the
20 potential of creating a statewide Management Information
21 System (MIS), encouraging the future participation of any
22 bodies that are receiving awards or grants from the state, if
23 such a system were adopted, enacted, and accepted by the
24 state.

25 (c) Annually evaluate state and local services and
26 resources and develop a consolidated plan for addressing the
27 needs of the homeless or those at-risk for homelessness.

28 (d) Explore, compile, and disseminate information
29 regarding public and private funding sources for state and
30 local programs serving the homeless and provide technical
31 assistance in applying for such funding.

1 (e) Monitor and provide recommendations for
2 coordinating the activities and programs of local coalitions
3 for the homeless and promote the effectiveness of programs
4 addressing the needs of the homeless.

5 (f) Provide technical assistance to facilitate efforts
6 to establish, maintain, and expand local homeless assistance
7 continuums of care.

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

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

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

17 (j) Develop outcome and accountability measures and
18 promote and use such measures to evaluate program
19 effectiveness and make recommendations for improving current
20 practices in order to best meet the needs of the homeless.

21 (k) Formulate policies and legislative proposals to
22 address more effectively the needs of the homeless and
23 coordinate the implementation of state and federal legislative
24 policies.

25 (l) Convene meetings and workshops of state and local
26 agencies, local coalitions and programs, and other
27 stakeholders for the purpose of developing and reviewing
28 policies, services, activities, coordination, and funding of
29 efforts to meet the needs of the homeless.

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1 (m) Conduct or promote research on the effectiveness
2 of current programs and propose pilot projects aimed at
3 improving services.

4 (n) Serve as an advocate for issues relating to
5 homelessness.

6 (o) Investigate ways to improve access to
7 participation in state funding and other programs for
8 prevention and alleviation of homelessness to faith-based
9 organizations and collaborate and coordinate with faith-based
10 organizations.

11 (4) Not less than 120 days after the effective date of
12 this act, the State Office on Homelessness, with the
13 concurrence of the Council on Homelessness, may accept and
14 administer moneys appropriated to it to provide "Challenge
15 Grants" annually to lead agencies for homeless assistance
16 continuums of care designated by the State Office on
17 Homelessness. A lead agency may be a local homeless coalition,
18 municipal or county government, or other public agency or
19 private, not-for-profit corporation. Such grants may be up to
20 \$500,000 per lead agency.

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

24 (b) Preference must be given to those lead agencies
25 that have demonstrated the ability of their continuum of care
26 to provide quality services to homeless persons and the
27 ability to leverage federal homeless-assistance funding under
28 the Stewart B. McKinney Act and private funding for the
29 provision of services to homeless persons.

30 (c) Preference must be given to lead agencies in
31 catchment areas with the greatest need for the provision of

1 housing and services to the homeless, relative to the
2 population of the catchment area.

3 (5) The State Office on Homelessness, with the
4 concurrence of the Council on Homelessness, may administer
5 moneys appropriated to it to provide homeless housing
6 assistance grants annually to lead agencies for local homeless
7 assistance continuum of care, as recognized by the State
8 Office on Homelessness, to construct or rehabilitate
9 transitional or permanent housing units for homeless persons.
10 These moneys shall consist of any sums that the state may
11 appropriate, as well as money received from donations, gifts,
12 bequests, or otherwise from any public or private source,
13 which money is intended to construct or rehabilitate
14 transitional or permanent housing units for homeless persons.

15 (a) Grant applicants shall be ranked competitively.
16 Preference must be given to applicants who leverage additional
17 private funds and public funds, particularly federal funds
18 designated for the construction and rehabilitation of
19 transitional or permanent housing for homeless persons, who
20 build or rehabilitate the greatest number of units, and who
21 build or rehabilitate in catchment areas having the greatest
22 need for housing for the homeless relative to the population
23 of the catchment area.

24 (b) Funding for any particular project may not exceed
25 \$750,000.

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

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

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

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

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

24 (7) The State Office on Homelessness must monitor the
25 challenge grants and homeless housing assistance grants to
26 ensure proper expenditure of funds and compliance with the
27 conditions of the applicant's contract.

28 (8) The Department of Children and Family Services,
29 with input from the Council on Homelessness, must adopt rules
30 relating to the challenge grants and the homeless housing
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1 assistance grants and related issues consistent with the
2 purposes of this section.

3 (9) The council shall, by December 31 of each year,
4 issue to the Governor, the President of the Senate, the
5 Speaker of the House of Representatives, and the Secretary of
6 Children and Family Services an evaluation of the executive
7 director's performance in fulfilling the statutory duties of
8 the office, a report summarizing the council's recommendations
9 to the office and the corresponding actions taken by the
10 office, and any recommendations to the Legislature for
11 proposals to reduce homelessness in this state.

12 Section 11. Section 420.623, Florida Statutes, is
13 amended to read:

14 420.623 Local coalitions for the homeless.--

15 (1) ESTABLISHMENT.--The department shall establish ~~in~~
16 ~~each of its service districts one or more~~ local coalitions to
17 plan, network, coordinate, and monitor ~~oversee~~ the delivery of
18 services to the homeless ~~in that district~~. Appropriate local
19 groups and organizations involved in providing services for
20 the homeless and interested business groups and associations
21 shall be given an opportunity to participate in such
22 coalitions, including, but not limited to:

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

25 (b) County health departments and community health
26 centers.

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

29 (d) Local law enforcement agencies.

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

- 1 (f) County and municipal governments.
2 (g) Local public housing authorities.
3 (h) Local school districts.
4 (i) Local organizations and agencies serving specific
5 subgroups of the homeless population, including, but not
6 limited to, those serving veterans, victims of domestic
7 violence, person with HIV/AIDS, and runaway youth.
8 (j) Local community-based care alliances.
9 (2) FUNCTIONS OF LOCAL COALITIONS.--Major functions of
10 the local coalitions are ~~shall be~~ to:
11 (a) Develop or assist with the development of the
12 local homeless continuum of care plan, as described in s.
13 420.624, for the catchment area containing the county or
14 region served by the local homeless coalition. Unless
15 otherwise specified in the plan or as a result of an agreement
16 with another coalition in the same catchment area, the local
17 coalition shall serve as the lead agency for the local
18 homeless assistance continuum of care.
19 (b) Discuss local issues related to homelessness and
20 the needs of the homeless.
21 ~~(c)(b)~~ Inventory all local resources for the homeless,
22 including, but not limited to, food assistance, clothing,
23 emergency shelter, low-cost housing, emergency medical care,
24 counseling, training, and employment.
25 ~~(d)(c)~~ Review and assess all services and programs in
26 support of the homeless and identify unmet needs of the
27 homeless.
28 ~~(e)(d)~~ Facilitate ~~Plan for~~ the delivery of multiagency
29 services for the homeless to eliminate duplication of services
30 and to maximize the use of limited existing resources for the
31 homeless.

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

4 (g)~~(f)~~ Develop a community resource directory of
5 services available to the homeless for use by agencies,
6 volunteers, information and referral systems, and homeless
7 persons.

8 (h)~~(g)~~ Develop public education and outreach
9 initiatives to make homeless persons aware of the services
10 available to them through community agencies and
11 organizations.

12 (i)~~(h)~~ Identify and explore new approaches to shelter
13 care for the homeless, ~~such as the use of vacant publicly~~
14 ~~owned buildings, vacant beds in assisted living facilities,~~
15 ~~and vacant beds in foster homes, as resources for emergency~~
16 ~~shelter care for homeless persons.~~

17 (j)~~(i)~~ Monitor and evaluate local homeless initiatives
18 to assess their impact, to determine the adequacy of services
19 available through such initiatives, and to identify additional
20 unmet needs of homeless persons.

21 (k)~~(j)~~ Collect and compile information relating to the
22 homeless population served and report on a regular basis, but
23 at least annually, such information to the department, as
24 directed by the department.

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

28 1. ~~The description, documentation, and priority~~
29 ~~ranking of local needs related to the problems of~~
30 ~~homelessness.~~

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

3 (m)3. Develop spending plans pursuant to the
4 grant-in-aid program created under s. 420.625. Spending plans
5 shall include a competitive ranking of applications from local
6 agencies eligible for funding pursuant to the provisions of s.
7 420.625.

8 (n) Develop a strategy for increasing support and
9 participation from local businesses in the coalition's
10 programs and activities.

11 (3) DEPARTMENT GUIDELINES.--The department shall
12 develop guidelines for coalition activities, coalition
13 reports, and development of local plans of action.

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

23 Section 12. Section 420.624, Florida Statutes, is
24 created to read:

25 420.624 Local homeless assistance continuum of care.--

26 (1) A local homeless assistance continuum of care is a
27 framework for a comprehensive and seamless array of emergency,
28 transitional, and permanent housing, and services to address
29 the various needs of homeless persons and persons at-risk for
30 homelessness. The nature and configuration of housing and

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1 services may be unique to each community or region, depending
2 on local needs, assets, and preferences.

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

7 (3) Communities or regions seeking to implement a
8 local homeless assistance continuum of care are encouraged to
9 develop and annually update a written plan that includes a
10 vision for the continuum of care, an assessment of the supply
11 of and demand for housing and services for the homeless
12 population, and specific strategies and processes for
13 providing the components of the continuum of care. The State
14 Office on Homelessness shall supply a standardized format for
15 written plans.

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

22 (5) Continuum of care catchment areas must be
23 designated and revised as necessary by the State Office on
24 Homelessness, with the input of local homeless coalitions and
25 public or private organizations that have previously certified
26 to the U.S. Department of Housing and Urban Development and
27 that currently serve as lead agencies for a local homeless
28 assistance continuum of care. Designated catchment areas must
29 not be overlapping. The designations must be consistent with
30 those made by the U.S. Department of Housing and Urban

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1 Development in conjunction with the awarding of federal
2 Stewart B. McKinney Act homeless assistance funding.

3 (6) The State Office on Homelessness shall recognize
4 only one homeless assistance continuum of care plan and its
5 designated lead agency for each designated catchment area. The
6 recognition must be made with the input of local homeless
7 coalitions and public or private organizations that have
8 previously certified to the U.S. Department of Housing and
9 Urban Development that they currently serve as lead agencies
10 for a local homeless assistance continuum of care. The
11 designations must be consistent with those made by the U.S.
12 Department of Housing and Development in conjunction with the
13 awarding of federal Stewart B. McKinney homeless assistance
14 funding.

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

17 (a) Outreach, intake, and assessment procedures in
18 order to identify the service and housing needs of an
19 individual or family and to link them with appropriate
20 housing, services, resources and opportunities;

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

23 (c) Transitional housing;

24 (d) Supportive services, designed to assist with the
25 development of the skills necessary to secure and retain
26 permanent housing;

27 (e) Permanent supportive housing;

28 (f) Permanent housing;

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

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

3 (i) An ongoing planning mechanism to address the needs
4 of all subgroups of the homeless population, including but not
5 limited to:

6 1. Single adult males;

7 2. Single adult females;

8 3. Families with children;

9 4. Families with no children;

10 5. Unaccompanied children and youth;

11 6. Elderly persons;

12 7. Persons with drug or alcohol addictions;

13 8. Person with mental illness;

14 9. Persons with dual or multiple disorders;

15 10. Victims of domestic violence; and

16 11. Persons living with HIV/AIDS.

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

30 Section 13. Section 420.626, Florida Statutes, is
31 created to read:

1 420.626 Homelessness; discharge guidelines.--
2 (1) It is the intent of the Legislature, to encourage
3 mental health facilities or institutions under contract with,
4 operated, licensed, or regulated by the state and local
5 governments to ensure that persons leaving their care or
6 custody are not discharged into homelessness.
7 (2) The following facilities and institutions are
8 encouraged to develop and implement procedures designed to
9 reduce the discharge of persons into homelessness when such
10 persons are admitted or housed for more than 24 hours at such
11 facilities or institutions: hospitals and inpatient medical
12 facilities; crisis stabilization units; residential treatment
13 facilities; assisted living facilities; and detoxification
14 centers.
15 (3) The procedures should include:
16 (a) Development and implementation of a screening
17 process or other mechanism for identifying persons to be
18 discharged from the facility or institution who are at
19 considerable risk for homelessness or face some imminent
20 threat to health and safety upon discharge;
21 (b) Development and implementation of a discharge plan
22 addressing how identified persons will secure housing and
23 other needed care and support upon discharge;
24 (c) Assessment of the capabilities of the entities to
25 whom identified persons may potentially be discharged, and
26 selection of the entity determined to be best equipped to
27 provide or facilitate the provision of suitable care and
28 support;
29 (d) Coordination of effort and sharing of information
30 with entities that are expected to bear the responsibility for
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1 providing care or support to identified persons upon
2 discharge; and

3 (e) Provision of sufficient medication, medical
4 equipment and supplies, clothing, transportation, and other
5 basic resources necessary to assure that the health and
6 well-being of identified persons are not jeopardized upon
7 their discharge.

8 (4) This section is intended only to recommend model
9 guidelines and procedures that mental health facilities or
10 institutions under contract with or operated, licensed, or
11 regulated by the state or local governments may consider when
12 discharging persons into the community. It is not an
13 entitlement, and no cause of action shall arise against the
14 state, the local government entity, or any other political
15 subdivision of this state for failure to follow any of the
16 procedures or provide any of the services suggested under this
17 section.

18 Section 14. Paragraph (a) of subsection (2) of section
19 420.9075, Florida Statutes, is amended to read:

20 420.9075 Local housing assistance plans;
21 partnerships.--

22 (2)(a) Each county and each eligible municipality
23 participating in the State Housing Initiatives Partnership
24 Program shall encourage the involvement of appropriate public
25 sector and private sector entities as partners in order to
26 combine resources to reduce housing costs for the targeted
27 population. This partnership process should involve:

- 28 1. Lending institutions.
- 29 2. Housing builders and developers.
- 30 3. Nonprofit and other community-based housing and
31 service organizations.

1 4. Providers of professional services relating to
2 affordable housing.

3 5. Advocates for low-income persons, including, but
4 not limited to, homeless people, the elderly, and migrant
5 farmworkers.

6 6. Real estate professionals.

7 7. Other persons or entities who can assist in
8 providing housing or related support services.

9 Section 15. Present subsections (5), (6), (7), (8),
10 and (9) of section 445.009, Florida Statutes, are redesignated
11 as subsections (6), (7), (8), (9), and (10), respectively, and
12 new subsection (5) is added to that section to read:

13 445.009 One-stop delivery system.--

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

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

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1 of the Senate, and the Speaker of the House of
2 Representatives.

3 Section 17. The Legislature designates December 21,
4 the first day of winter and the longest night of the year as a
5 Homeless Persons' Memorial Day to bring attention to the
6 tragedy of homelessness. The State Office on Homelessness,
7 local homeless coalitions, and local governments are
8 encouraged to sponsor events to promote awareness of the
9 plight of the homeless and identify actions that individuals
10 and organizations can take to address the problem of
11 homelessness.

12 Section 18. (1) The sum of \$4 million is appropriated
13 to the State Office on Homelessness, Department of Children
14 and Family Services, from the General Revenue Fund for fiscal
15 year 2001-2002 to fund "Challenge Grants" created in section
16 420.622, Florida Statutes, and to fund administrative costs
17 incurred by the State Office on Homelessness and the Council
18 on Homelessness. Funding for this subsection shall be
19 implemented in accordance with the General Appropriations Act
20 for the 2001-2002 fiscal year.

21 (2) The sum of \$625,000 is appropriated to the
22 grant-in-aid program specified in section 420.625, Florida
23 Statutes, within the Department of Children and Family
24 Services from the General Revenue Fund for fiscal year
25 2001-2002 to fund one position in each of the 25 homeless
26 coalitions in Florida. Each coalition may receive up to
27 \$25,000. Funding for this subsection shall be implemented in
28 accordance with the General Appropriations Act for the
29 2001-2002 fiscal year.

30 (3) The sum of \$197,668 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 an increase in its annual appropriation.
4 Funding for this subsection shall be implemented in accordance
5 with the General Appropriations Act for the 2001-2002 fiscal
6 year.
7 (4) The sum of \$5 million is transferred annually from
8 the Local Housing Assistance Trust Fund of the Florida Housing
9 Finance Corporation to the State Office on Homelessness within
10 the Department of Children and Family Services to fund
11 Homeless Housing Assistance grants.
12 Section 19. This act shall take effect July 1, 2001.
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1 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
2 COMMITTEE SUBSTITUTE FOR
3 CS/CS for Senate Bill 446
4 Amends s. 420.5092, F.S., to increase the maximum total amount
5 of revenue bonds that may be issued by the Florida Housing
6 Finance Corporation from the Florida Affordable Housing
7 Guarantee Program from \$200 to \$400;
8 Clarifies that the State Office on Homelessness is created
9 within DCFS, not as a state unit housed within DCFS;
10 Transfers research and coordination responsibilities specified
11 in the bill from the Council on Homelessness to the State
12 Office on Homelessness;
13 Requires DCFS to adopt rules with input from the Council on
14 Homelessness, rather than with input from the Florida Housing
15 Finance Corporation;
16 Deletes an unnecessary provision authorizing the council and
17 DCFS to contract for support services;
18 Requires the council to submit additional information in the
19 required annual report;
20 Clarifies that the model discharge guidelines and procedures
21 for hospitals and inpatient medical facilities, crisis
22 stabilization units, residential treatment facilities,
23 assisted living facilities, and detoxification centers do not
24 create an entitlement for services; and
25 Includes clarifying language to the provisions that
26 appropriate funds;
27 Increases the appropriations from \$3 million to \$4 million to
28 fund the challenge grants.
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