

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

1 Children and Family Services; providing an  
2 effective date.

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

10 WHEREAS, homelessness creates a sizable drain on social  
11 and economic resources and is a frustration to legitimate  
12 commerce and an obstacle to community development, and

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

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

24 WHEREAS, the Department of Children and Family Services  
25 has concluded that Florida homeless persons number at least  
26 57,400 at any given time, and fall into one or more of the  
27 following categories: women and their children; the mentally  
28 ill; military veterans; and drug or alcohol addicts, and

29 WHEREAS, the commission found the causes of  
30 homelessness to be numerous and complex and therefore the cure  
31

1 cannot be simplistic and cannot exclusively address any single  
2 issue or causative factor, and

3 WHEREAS, due to the lack of resources, many local  
4 governments throughout the State of Florida have not focused  
5 on the obstacles that need to be overcome to solve the problem  
6 of homelessness, and

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

13  
14 Be It Enacted by the Legislature of the State of Florida:

15  
16 Section 1. Subsection (35) of section 228.041, Florida  
17 Statutes, is amended to read:

18 228.041 Definitions.--Specific definitions shall be as  
19 follows, and wherever such defined words or terms are used in  
20 the Florida School Code, they shall be used as follows:

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

22 (a) One who lacks a fixed, regular nighttime  
23 residence;

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

25 1. A supervised publicly or privately operated shelter  
26 designed to provide temporary living accommodations, including  
27 welfare hotels, congregate shelters, and transitional housing  
28 for the mentally ill;

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

31

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

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

7  
8 A child who is imprisoned, detained, or in the custody of the  
9 state pursuant to a state or federal law is not a homeless  
10 child whose primary nighttime residence is in a supervised  
11 publicly or privately operated shelter for temporary  
12 accommodations or in a public or private place not designated  
13 for, or ordinarily used for, continuing human habitation.

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

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

26           (7) If none of these evidences can be produced, an  
27 affidavit of age sworn to by the parent, accompanied by a  
28 certificate of age signed by a public health officer or by a  
29 public school physician, or, if neither of these shall be  
30 available in the county, by a licensed practicing physician  
31 designated by the school board, which certificate shall state

1 that the health officer or physician has examined the child  
2 and believes that the age as stated in the affidavit is  
3 substantially correct. A homeless child, as defined in s.  
4 228.041, shall be given temporary exemption from this section  
5 for 30 school days.

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

8 232.0315 School-entry health examinations.--

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

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

28 Section 4. Paragraph (e) of subsection (3) of section  
29 232.032, Florida Statutes, is amended to read:

30 232.032 Immunization against communicable diseases;  
31 school attendance requirements; exemptions.--

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

2 (e) An authorized school official issues a temporary  
3 exemption, for a period not to exceed 30 school days, to  
4 permit a child who transfers into a new county to attend class  
5 until his or her records can be obtained. A homeless child, as  
6 defined in s. 228.041, shall be given a temporary exemption  
7 for 30 school days.The public school health nurse or  
8 authorized nonpublic school official is responsible for  
9 followup of each such child until proper documentation or  
10 immunizations are obtained. An exemption for 30 days may be  
11 issued for a child who enters a juvenile justice program to  
12 permit the child to attend class until his or her records can  
13 be obtained or until the immunizations can be obtained. An  
14 authorized juvenile justice official is responsible for  
15 followup of each child who enters a juvenile justice program  
16 until proper documentation or immunizations are obtained.

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

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

26 (3) During the first 6 months of loan or loan  
27 guarantee availability, program funds shall be reserved for  
28 use by sponsors who provide the housing set-aside required in  
29 subsection (2) for ~~tenants in the three~~ tenant groups  
30 designated in this subsection. The reservation of funds to  
31 each of these groups shall be determined using the most recent

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

1 and the term of the loan, which may not exceed 15 years. The  
2 term of the loan shall be established on the basis of a credit  
3 analysis of the applicant. The corporation shall establish, by  
4 rule, the procedure and criteria for receiving, evaluating,  
5 and competitively ranking all applications for loans under  
6 this ~~paragraph~~ subparagraph. A loan application must include  
7 evidence of the first mortgagee's having reviewed and approved  
8 the sponsor's intent to apply for a loan. A nonprofit  
9 organization or sponsor may not use the proceeds of the ~~a~~ loan  
10 ~~received pursuant to this subparagraph~~ to pay for  
11 administrative costs, routine maintenance, or new  
12 construction.

13 Section 6. Subsections (2) and (11) of section  
14 420.5092, Florida Statutes, are amended to read:

15 420.5092 Florida Affordable Housing Guarantee  
16 Program.--

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

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

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

26 (c) "Corporation" means the Florida Housing Finance  
27 Corporation.

28 (d) "Eligible housing" means any real and personal  
29 property designed and intended for the primary purpose of  
30 providing decent, safe, and sanitary residential units for  
31 homeownership or rental for eligible persons, including

1 housing for the homeless, as determined by the corporation  
2 pursuant to rule.

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

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

13 (11) The maximum total amount of revenue bonds that  
14 may be issued by the corporation pursuant to subsection (5) is  
15 ~~\$400~~\$200 million.

16 Section 7. Paragraph (e) of subsection (3) of section  
17 420.511, Florida Statutes, is amended to read:

18 420.511 Business plan; strategic plan; annual  
19 report.--

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

24 (e) Information relating to the corporation's  
25 activities in implementing the provisions of ss. 420.5087 and  
26 420.5088. The report required by this subsection shall  
27 include, but not be limited to:

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

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

31

1           3. The average cost of producing units under each  
2 program.

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

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

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

9           7. The number of farmworkers served under each  
10 program.

11           8. The number of homeless persons served under each  
12 program.

13           ~~9.8.~~ The number of elderly persons served under each  
14 program.

15           ~~10.9.~~ The extent to which geographic distribution has  
16 been achieved in accordance with the provisions of s.  
17 420.5087.

18           ~~11.10.~~ Any other information the corporation deems  
19 appropriate.

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

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

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

28           (a) One citizen actively engaged in the residential  
29 home building industry.

30           (b) One citizen actively engaged in the home mortgage  
31 lending profession.

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

1           (4) The commission shall analyze those solutions and  
2 programs which could begin to address the state's acute need  
3 for housing for the homeless; for very-low-income, low-income,  
4 and moderate-income persons;and for elderly persons,  
5 including programs or proposals which provide for:

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

8           (b) Use of publicly owned lands and buildings as  
9 affordable housing sites;

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

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

15           (e) Stimulation of public and private cooperative  
16 housing efforts;

17           (f) Implementation or expansion of the programs  
18 authorized in this chapter;

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

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

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

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

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 issues  
4 relating to homelessness. An executive director of the office  
5 shall be 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.

30  
31

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 continuum 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 physical or mental  
15 disorders;

16          10. Victims of domestic violence; and

17          11. Persons living with HIV/AIDS.

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

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1           Section 13. Section 420.626, Florida Statutes, is  
2 created to read:

3           420.626 Homelessness; discharge guidelines.--

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

9           (2) The following facilities and institutions are  
10 encouraged to develop and implement procedures designed to  
11 reduce the discharge of persons into homelessness when such  
12 persons are admitted or housed for more than 24 hours at such  
13 facilities or institutions: hospitals and inpatient medical  
14 facilities; crisis stabilization units; residential treatment  
15 facilities; assisted living facilities; and detoxification  
16 centers.

17           (3) The procedures should include:

18           (a) Development and implementation of a screening  
19 process or other mechanism for identifying persons to be  
20 discharged from the facility or institution who are at  
21 considerable risk for homelessness or face some imminent  
22 threat to health and safety upon discharge;

23           (b) Development and implementation of a discharge plan  
24 addressing how identified persons will secure housing and  
25 other needed care and support upon discharge;

26           (c) Assessment of the capabilities of the entities to  
27 whom identified persons may potentially be discharged, and  
28 selection of the entity determined to be best equipped to  
29 provide or facilitate the provision of suitable care and  
30 support;

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1           (d) Coordination of effort and sharing of information  
2 with entities that are expected to bear the responsibility for  
3 providing care or support to identified persons upon  
4 discharge; and

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

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

20           Section 14. Paragraph (a) of subsection (2) of section  
21 420.9075, Florida Statutes, is amended to read:

22           420.9075 Local housing assistance plans;  
23 partnerships.--

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

- 30           1. Lending institutions.
- 31           2. Housing builders and developers.

1           3. Nonprofit and other community-based housing and  
2 service organizations.

3           4. Providers of professional services relating to  
4 affordable housing.

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

8           6. Real estate professionals.

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

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

15           445.009 One-stop delivery system.--

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

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

1 submitted by January 1, 2005, to the Governor, the President  
2 of the Senate, and the Speaker of the House of  
3 Representatives.

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

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

22 (2) The sum of \$625,000 is appropriated to the  
23 grant-in-aid program specified in section 420.625, Florida  
24 Statutes, within the Department of Children and Family  
25 Services from the General Revenue Fund for fiscal year  
26 2001-2002 to fund one position in each of the 25 homeless  
27 coalitions in Florida. Each coalition may receive up to  
28 \$25,000. Funding for this subsection shall be implemented in  
29 accordance with the General Appropriations Act for the  
30 2001-2002 fiscal year.

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1           (3) The sum of \$197,668 is appropriated to the  
2 grant-in-aid program specified in section 420.625, Florida  
3 Statutes, within the Department of Children and Family  
4 Services from the General Revenue Fund for fiscal year  
5 2001-2002 to fund an increase in its annual appropriation.  
6 Funding for this subsection shall be implemented in accordance  
7 with the General Appropriations Act for the 2001-2002 fiscal  
8 year.

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

14           Section 19. This act shall take effect July 1, 2001.