

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 93 Homelessness
SPONSOR(S): Healthy Families Subcommittee; Reed and others
TIED BILLS: **IDEN./SIM. BILLS:** SB 402

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Healthy Families Subcommittee	12 Y, 0 N, As CS	Entress	Schoolfield
2) Transportation & Economic Development Appropriations Subcommittee	12 Y, 0 N	Rayman	Davis
3) Health & Human Services Committee			

SUMMARY ANALYSIS

CS/HB 93 creates and revises multiple sections of Florida Statutes relating to homelessness. Specifically the bill makes the following changes:

- Authorizes the collection of voluntary contributions in the amount of \$1.00 to be added to motor vehicle registration and driver's license fees, both initial and renewal fees, to aid the homeless.
- Waives the \$10,000 application fee for the voluntary contribution to aid the homeless for vehicle registration and renewal forms as well as driver license application forms.
- Replaces s. 414.16, F.S., as it relates to Emergency Financial Assistance Program for Families with s. 414.161, F.S., establishing a homeless prevention grant program to be administered by local homeless continuums of care to provide emergency financial assistance to families facing the loss of their current home due to financial or other crises.
- Limits the amount a lead agency may spend on administrative costs under a Challenge Grant.

The Department of Children and Families estimates a revenue increase of \$20,000 per year to benefit the homeless from the collection of voluntary contributions. The Department of Highway Safety and Motor Vehicles estimates a one-time \$65,600 programming cost to develop the new application forms.

The bill provides an effective date of July 1, 2013, unless otherwise specified.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Background

The Council on Homelessness

The Council on Homelessness (council) and the State Office on Homelessness (office) were created in 2001 within the Department of Children and Family Services (DCF)¹. The office coordinates state agency responses to homelessness, serves as a single point of contact on homeless issues in the state, and administers state-funded grant programs that support the activities of the 28 local homeless coalitions². The 17-member council is comprised of representatives of state agencies, counties, homeless advocacy organizations, and volunteers³. The council's duties include developing policy and advising the office.

The office administers all homelessness prevention grants through lead agencies. The lead agency has the responsibility for continuum of care plans that help communities or regions envision, plan and implement comprehensive and long term solutions to the problem of homelessness in the community. Lead agencies are also authorized applicants for the Challenge Grant and the Homeless Housing Assistance Grant.

Emergency Assistance Program

This is a state grant program to provide support to families, with at least one minor child, who are currently without shelter or face the loss of shelter because of the following:⁴

- Nonpayment of rent or mortgage resulting in eviction or notice of eviction;
- Household disaster, which renders the home uninhabitable;
- Other emergency situations defined in rule.⁵

Families may receive up to \$400 during one period of 30 consecutive days in any 12 consecutive months.⁶ DCF serves approximately 2,000 families a year under this program and utilizes Other Personal Services (OPS) staff to assess eligibility and process payments.⁷

Homeless Housing Assistance Grants

This grant program provides homeless housing assistance grants up to \$750,000 annually to lead agencies to acquire, construct, or rehabilitate transitional or permanent housing units for homeless persons.⁸ Administrative costs are capped at 5% of the funds awarded.⁹

¹Ch. 2001-98, L.O.F

²s.420.622(3), F.S.

³s.420.622(2), F.S.

⁴s. 414.16, F.S.

⁵s. 414.16(1), F.S.

⁶65A-33.011, F.A.C.

⁷DCF Staff Analysis HB 93 (2013). On file with committee staff.

⁸s. 420.622(5), F.S.

⁹s. 420.622(5)(f), F.S.

Challenge Grant

The challenge grant is a state program which includes grants of up to \$500,000 to lead agencies who have developed and implemented a local homeless assistance continuum of care plan to provide services including outreach, emergency shelter, support services, and permanent shelter in the area.¹⁰ This grant program was not funded in the General Appropriations Act for FY 2012-13.

Voluntary Checkoffs

Voluntary checkoffs provide the opportunity for citizens to make a voluntary donation by checking a box on a form when registering a vehicle or applying for a driver's license. Current statute provides that an organization must seek authorization from the Department of Highway Safety and Motor Vehicles (DHSMV) prior to establishing a voluntary contribution checkoff. Organizations must submit the request to DHSMV, pay an application fee not to exceed \$10,000 and submit a marketing strategy prior to seeking Legislative authorization for the creation of a new voluntary contribution fee on motor vehicle registration or driver license applications.¹¹

DHSMV must discontinue the checkoff if less than \$25,000 has been contributed by the end of the fifth year, or if less than \$25,000 is contributed during any subsequent 5-year period.¹²

Currently there are 24 voluntary contribution checkoff opportunities for motor vehicle registration applicants and 17 contribution checkoff opportunities for driver license applicants.¹³ DHSMV informs that due to the increased number of voluntary contribution checkoffs, the renewal notices are overcrowded with information, making them difficult to read.¹⁴ The 2010 Legislature passed a moratorium on new voluntary checkoffs from July 1, 2010 to July 1, 2013. An exception could be made to the moratorium if certain conditions were met or a bill was filed during the 2010 Legislative session to establish a voluntary contribution and satisfy the requirements of s. 320.023 or s. 322.081, F.S.¹⁵ A bill was filed during the 2010 Legislative Session, HB 923, which attempted to establish the same voluntary contribution for the homeless (as in the HB 93) and addressed the requirements in law.¹⁶

Effect of Proposed Changes

The bill authorizes the collection of voluntary contributions in the amount of \$1.00 to be added to the motor vehicle and driver's license fees - initial and renewal fees - to aid the homeless, as of October 1, 2013. This is accomplished by adding a homelessness voluntary contribution checkoff to the forms when paying for a driver license or vehicle registration. The bill does not require the voluntary contributions be subject to the checkoff procedures and requirements of s. 320.023, F.S., and s. 322.081, F.S. Funds collected will be placed in a grants and donations trust fund for use by the Office on Homelessness to supplement Challenge Grants and Homeless Housing Assistance Grants and to provide information on homelessness to the public. The effect of this change is estimated to generate an additional \$20,000 a year.

The bill repeals s. 414.16, F.S., relating to the Emergency Assistance Program and replaces it with a Homelessness Prevention Grant Program under s. 414.161, F.S. The new program will be administered by the Office on Homelessness at DCF, with the concurrence of the Council on Homelessness. The office may provide prevention grants through contracts with local lead agencies for homeless assistance continuums of care. The bill specifies the grant application process and certain preferences for applicants who can leverage additional funds and demonstrate effective programs.

¹⁰ s. 420.622(4), F.S.

¹¹ s. 320.023, F.S., 322.081, F.S.

¹² ss. 320.023(4)(a) and 322.081(4)(a), F.S.

¹³ s.320.02(8), (14),(15),F.S. and 322.08(7), F.S.

¹⁴ Department of Highway Safety and Motor Vehicles Agency Bill Analysis, 1/25/13, on file with the committee.

¹⁵ Section 26, chapter 2010-223, LOF.

¹⁶ HB923 2010 Legislative Session.

Eligibility for the grant program is limited to lead agencies who have implemented a local homeless assistance plan for their area. The grants are capped at \$300,000 and may be used to assist families facing the loss of their current home to pay past due rent and mortgage payments, past due utility bills, and case management. Program administrative costs are capped at 3 percent of the grant award.

The bill also limits lead agency spending at a maximum of 8 percent of funding for administrative costs expended on Challenge Grants which are authorized in s. 420.622, F.S.

B. SECTION DIRECTORY:

Section 1: Amends s. 320.02, F.S., relating to registration required; application for registration; forms.

Section 2: Amends s. 322.08, F.S., relating to application for license; requirements for license and identification card forms.

Section 3: Amends s. 322.18, F.S., relating to original applications, licenses, renewals; expiration of licenses; delinquent licenses.

Section 4: Creates s. 414.161, F.S., relating to Homelessness prevention grants.

Section 5: Amends s. 420.622, F.S., relating to the State Office on Homelessness; Council on Homelessness.

Section 6: Amends s. 420.625, F.S., relating to Grant-in-aid program.

Section 7: Repeals s. 414.16, F.S., relating to emergency assistance program.

Section 8: Provides an effective date of July 1, 2013, unless otherwise specified.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

According to DCF, the voluntary contributions from motor vehicle registrations and renewals, and original or renewal driver's licenses could provide an estimated \$20,000 annually.

The bill waives the application fees for these voluntary contributions normally required by ss. 320.023 and 322.081, F.S. The two application fees total \$20,000.

2. Expenditures:

DHSMV estimates a one-time programming cost of \$65,600 to the Highway Safety Operating Trust Fund to redesign the application forms associated with vehicle registration/renewal transaction and issuance of an original, replacement, or renewal of a driver license/identification card.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None

D. FISCAL COMMENTS:

A fiscal impact of \$65,600 in programming costs is estimated by DHSMV in order to redesign application forms. The department states it can accommodate the programming costs within existing resources.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable.

2. Other:

None

B. RULE-MAKING AUTHORITY:

None

C. DRAFTING ISSUES OR OTHER COMMENTS:

Line 152 has a technical deficiency and the word "paragraph" should be changed to "subsection."

Recommend changing the effective date for sections 1, 2, and 3 related to the voluntary checkoffs for homelessness contributions to provide sufficient time for DHSMV to implement form changes.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On February 7, 2013, the Healthy Families Subcommittee approved two amendments and reported favorably as a committee substitute. The amendments:

- Corrects a technical error in drafting changing "paragraph" to "subsection".
- Changes the effective date of the voluntary contribution sections of the bill to October 1, 2013.