

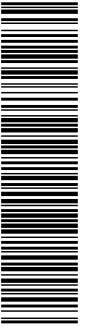
98457

UNBACKED

02/01/23 06:36 PM
RN 23 09473 PAGE 1

An act to amend Sections 16523, 16523.1, and 16523.2 of the Welfare and Institutions Code, relating to homelessness.

SECURED
COPY



230947398457BILL

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 16523 of the Welfare and Institutions Code is amended to read:

16523. For purposes of this article, the following definitions shall apply:

(a) “Child welfare services” ~~has the same meaning as defined in Section 16501.~~ means either of the following:

(1) The same meaning as defined in Section 16501, including those services provided by a tribe, or tribal entity or agency.

(2) Child welfare services provided by a tribe, or tribal entity or agency, in accordance with tribal law or custom, if the tribe, or tribal entity or agency, provides at least one of the services described in paragraph (1) or (2) of subdivision (a) of Section 16501.

(b) “Department” means the State Department of Social Services.

(c) “Eligible family” means any individual or family that, at a minimum, meets all of the following conditions:

(1) Receives child welfare services at the time eligibility is determined.

(2) Is homeless, is at risk of homelessness, or is in a living situation that cannot accommodate the child or multiple children in the home, which may include, but is not limited to, individuals who have not yet received an eviction notice.

(3) Voluntarily agrees to participate in the program.

(4) Either of the following:

(A) Has been determined appropriate for reunification of a child to a biological parent or guardian by the county human services agency or tribe handling the case, the court with jurisdiction over the child, or both.

(B) A child or children in the family is or are at risk of foster care placement, and the county human services agency or tribe determines that safe and stable housing for the family will prevent the need for the child’s or children’s removal from the parent or guardian.

(d) “Homeless” means any of the following:

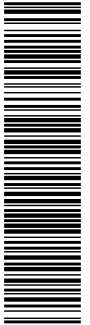
(1) An individual or family who lacks a fixed, regular, and adequate nighttime residence.

(2) An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including, but not limited to, a car, park, abandoned building, bus station, train station, airport, or camping ground.

(3) An individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements, including hotels or motels paid for by federal, state, or local government programs for low-income individuals or by charitable organizations, congregate shelters, or transitional housing.

(4) An individual who resided in a shelter or place not meant for human habitation and who is exiting an institution where the individual temporarily resided.

(5) An individual or family who will imminently lose their housing, including, but not limited to, housing they own, rent, or live in without paying rent, are sharing with others, or rooms in hotels or motels not paid for by federal, state, or local government programs for low-income individuals or by charitable organizations, if any of the following criteria are met:



98457

(A) The primary nighttime residence will be lost within 14 days, as evidenced by any of the following:

(i) A court order resulting from an eviction action that notifies the individual or family that they must leave within 14 days.

(ii) The individual or family having a primary nighttime residence that is a room in a hotel or motel and where they lack the resources necessary to reside there for more than 14 days.

(iii) Credible evidence indicating that the owner or renter of the housing will not allow the individual or family to stay for more than 14 days, and any oral statement from an individual or family seeking homeless assistance that is found to be credible shall be considered credible evidence for purposes of this clause.

(B) The individual or family has no subsequent residence identified.

(C) The individual or family lacks the resources or support networks needed to obtain other permanent housing.

(6) Unaccompanied youth and homeless families with children and youth defined as homeless under any other federal statute, as of the effective date of this program, who meet all of the following:

(A) Have experienced a long-term period without living independently in permanent housing.

(B) Have experienced persistent instability as measured by frequent moves over that long-term period.

(C) Can be expected to continue in that status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse, the presence of a child or youth with a disability, or multiple barriers to employment.

(7) An individual or family who meets all of the following:

(A) Is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or family member, including a child, that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return to their primary nighttime residence.

(B) Has no other residence.

(C) Lacks the resources or support networks, including, but not limited to, family, friends, or faith-based or other social networks, to obtain other permanent housing.

(d). (e) "Homelessness" means the status of being homeless, as defined in subdivision

(f) "Permanent housing" means a place to live without a predetermined limit on the length of stay in the housing that exceeds the duration of funding for the program; stay, subject to landlord-tenant laws pursuant to Chapter 2 (commencing with Section 1940) of Title 5 of Part 4 of Division 3 of the Civil Code.

(g) "Program" means the Bringing Families Home Program established pursuant to this article.

(h) "Supportive housing" has the same meaning as defined in paragraph (2) of subdivision (b) of Section 50675.14 of the Health and Safety Code, except that the program is not restricted to serving only projects with five or more units.

SEC. 2. Section 16523.1 of the Welfare and Institutions Code is amended to read:



16523.1. (a) To the extent funds are appropriated in the annual Budget Act, the department shall award program funds to counties and tribal governments for the purpose of providing housing-related supports to eligible families experiencing homelessness if that homelessness prevents reunification between an eligible family and a child receiving child welfare services, or where lack of housing prevents a parent or guardian from addressing issues that could lead to foster care placement.

(b) Notwithstanding subdivision (a), this section does not create an entitlement to housing-related assistance, which is intended to be provided at the discretion of the county or tribe as a service to eligible families.

(c) (1) It is the intent of the Legislature that housing-related assistance provided pursuant to this article utilize evidence-based models, including evidence-based practices in rapid rehousing and supportive housing.

(2) Housing-related supports available to participating families shall include, but not be limited to, the following:

(A) An assessment of each family's housing and service needs, including a plan to assist them in meeting those needs, using an assessment tool developed in the local community or an assessment tool used in other jurisdictions.

(B) Housing navigation or search assistance to recruit landlords, and assist families in locating housing affordable to the family.

(C) The use of evidence-based models, such as motivational interviewing and trauma-informed care, to build relationships with a parent or guardian.

(D) Housing-related financial assistance, including rental assistance, security deposit assistance, utility payments, moving cost assistance, and interim housing assistance while housing navigators are actively seeking permanent housing options for the family.

(E) (i) Housing stabilization services, including ongoing tenant engagement, case management, public systems assistance, legal services, credit repair assistance, life skills training, and conflict mediation with landlords and neighbors.

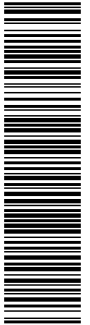
(ii) Services provided pursuant to clause (i) shall be provided with input from the family, based on the needs of the family, and in coordination with other services being provided by child welfare services or tribes, family resource centers, family courts, and other services.

(F) If the family requires supportive housing, long-term housing through tenant or project-based rental assistance or operating subsidies and services promoting housing stability, subject to available funding pursuant to subdivision (a).

(d) The department shall award program funds to county child welfare agencies and tribes according to criteria developed by the department, in consultation with the County Welfare Directors Association of California, the Corporation for Supportive Housing, and Housing California, subject to all of the following requirements:

(1) (A) Except as otherwise provided in subparagraph (B), a county or tribe that receives state funds under this program shall match that funding on a dollar-by-dollar basis. The county or tribal funds used for this purpose shall supplement, not supplant, county or tribal funding already intended for these purposes.

(B) Between July 1, 2021, and June 30, ~~2024~~, 2025, a county or tribe that receives state funds under this article shall not be required to match any funding provided during that period.



(2) A county or tribe that receives state funds under this program shall partner with a local homeless continuum of care that participates in a homeless services coordinated entry and assessment system, as required by the United States Department of Housing and Urban Development.

(3) A county or tribe that receives state funds under the program shall utilize a cross-agency liaison to coordinate activities under the program with the homeless continuum of care and the county child welfare or tribal agency, including housing-related and child welfare services for families.

(e) The department, in consultation with Housing California, the Corporation for Supportive Housing, and the County Welfare Directors Association of California, shall develop all of the following:

(1) The criteria by which counties and tribal governments may be awarded funds to provide housing-related assistance to eligible families pursuant to this article.

(2) The proportion of program funding to be expended on reasonable and appropriate administrative activities to minimize overhead and maximize services.

(3) Eligible sources of funds for a county's or tribe's matching contribution.

(4) Tracking and reporting procedures for the program.

(5) A process for evaluating program data.

SEC. 3. Section 16523.2 of the Welfare and Institutions Code is amended to read:

16523.2. (a) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department may implement and administer the changes made to this article by the act that added this section by means of all-county letters or similar instructions from the department that shall have the same force and effect as regulations until regulations are adopted.

(b) The department shall adopt regulations implementing ~~the changes specified in subdivision (a)~~ this article no later than July 1, 2024.



LEGISLATIVE COUNSEL'S DIGEST

Bill No.
as introduced, _____.
General Subject: Bringing Families Home Program.

Existing law establishes the Bringing Families Home Program and, subject to an appropriation, requires the State Department of Social Services to award program funds to counties and tribal governments for the purpose of providing housing-related supports to eligible families experiencing homelessness, as defined, if that homelessness prevents reunification between an eligible family and a child receiving child welfare services, as defined, or when lack of housing prevents a parent or guardian from addressing issues that could lead to foster care placement.

This bill would, for purposes of the program, expand the definition of “child welfare services” to include those services provided by a tribe, or tribal entity or agency, in accordance with tribal law or custom, if it provides at least one of specified child welfare services. The bill would expand the definition of “homeless” to include an individual or family who is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence, as specified, has no other residence, and lacks the resources or support networks to obtain other permanent housing. The bill would also make certain changes to the existing definition of “permanent housing” for purposes of the program.

Existing law requires the department to award the above-described program funds to county child welfare agencies and tribes according to specified criteria, including a requirement for a county or tribe receiving state funds to provide matching funds except between July 1, 2021, and June 30, 2024.

This bill would extend the exception period to June 30, 2025, for the fund-matching requirement.

Existing law requires the department, no later than July 1, 2024, to adopt regulations implementing specified changes to the program that were enacted in 2021, including changes to the definitions of “homeless” and “eligible family” and the above-described exception period for the fund-matching requirement.

This bill would instead require the department to adopt regulations implementing all provisions of the program no later than July 1, 2024.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

