

It is the Intent of the Legislature to enact future legislation to enhance accountability and further the state's goals of preventing and ending homelessness, utilizing all resources available to local governments, above and beyond state funding provided through the Homeless Housing, Assistance, and Prevention Program established pursuant to Chapter 6 of Part 1 of Division 31 of the Health and Safety Code (commencing with Section 50216).

It is the further intent of the Legislature, as part of this enhanced accountability, to enact future legislation to require cities and counties, as an express condition of receiving state homelessness funding, to have submitted a compliant housing element with the state pursuant to Section 65400 of the Government Code.

Section 50216 of the Health and Safety Code is amended to read:

For purposes of this chapter:

(a) "Agency" means the Business, Consumer Services, and Housing Agency.

(b) "Applicant" means a continuum of care, city, county, or federally recognized tribal government. ~~tribe.~~

(c) "City" means a city or city and county that is legally incorporated to provide local government services to its population. A city can be organized either under the general laws of this state or under a charter adopted by the local voters.

(d) "Continuum of care" means the same as defined by the United States Department of Housing and Urban Development at Section 578.3 of Title 24 of the Code of Federal Regulations.

(e) "Coordinated Entry System" means a centralized or coordinated process developed pursuant to Section 578.7 of Title 24 of the Code of Federal Regulations, as that section read on January 10, 2019, designed to coordinate homelessness program participant intake, assessment, and provision of referrals. In order to satisfy this subdivision, a centralized or coordinated assessment system shall cover the geographic area, be easily accessed by individuals and families seeking housing or services, be well advertised, and include a comprehensive and standardized assessment tool.

(f) "Council" means the associated staff within the California Interagency Council on Homelessness previously known as the Homeless Coordinating and Financing Council created pursuant to Section 8257 of the Welfare and Institutions Code.

(g) "Emergency shelter" has the same meaning as defined in subdivision (e) of Section 50801.

(h) "Homeless" has the same meaning as defined in Section 578.3 of Title 24 of the Code of Federal Regulations, as that section read on January 10, 2019.

(i) "Homeless Management Information System" means the information system designated by a continuum of care to comply with federal reporting requirements as defined in Section 578.3 of Title 24 of the Code of Federal Regulations. The term "Homeless Management Information System" also includes the use of a comparable database by a victim services provider or legal services

provider that is permitted by the federal government under Part 576 of Title 24 of the Code of Federal Regulations.

(j) (1) "Homeless point-in-time count" means the most recently available point-in-time count data as reflected in the Annual Homeless Assessment Report released by the United States Department of Housing and Urban Development. (2) For purposes of round 4 and round 5 of the program described in Section 50218.7 and 50218.8, "homeless point-in-time count" means the most recent point-in-time count that requires a sheltered and unsheltered count pursuant to Section 578.3 of Title 24 of the Code of Federal Regulations completed by all applicants.

(k) "Homeless youth" means an unaccompanied youth between 12 and 24 years of age, inclusive, who is experiencing homelessness, as defined in subsection (2) of Section 725 of the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11434a(2)). "Homeless youth" includes unaccompanied youth who are pregnant or parenting.

(l) "Housing First" has the same meaning as in Section 8255 of the Welfare and Institutions Code, including all of the core components listed therein.

(m) "Jurisdiction" means a city, city that is also a county, county, continuum of care, or tribe, as defined in this section.

(n) "Navigation center" means a Housing First, low-barrier, service-enriched shelter focused on moving homeless individuals and families into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing.

(o) "Program" means the Homeless Housing, Assistance, and Prevention program established pursuant to this chapter.

(1) "Round 1" of the program means the funding allocated under the program with moneys appropriated during the fiscal year beginning on July 1, 2019.

(2) "Round 2" of the program means the funding allocated under the program with moneys appropriated during the fiscal year beginning on July 1, 2020.

(3) "Round 3" of the program means the funding allocated under the program with moneys appropriated during the fiscal year beginning on July 1, 2021.

(4) "Round 4" of the program means the funding allocated under the program with moneys appropriated during the fiscal year beginning on July 1, 2022.

(5) "Round 5" of the program means the funding allocated under the program with moneys appropriated during the fiscal year beginning on July 1, 2023.

(p) "Program allocation" means the portion of program funds available to expand or develop local capacity to address immediate homelessness challenges.

(q) "Recipient" means a jurisdiction that receives funds from the council for the purposes of the program.

(r) "Tribe" or "tribal applicant" means a federally recognized tribal government located in the State of California pursuant to Section 4103 of Title 25 of the United States Code.

Section 50217 of the Health and Safety Code is amended to read:

(a) The Homeless Housing, Assistance, and Prevention program is hereby established for the purpose of providing jurisdictions with one-time grant funds to support regional coordination and expand or develop local capacity to address their immediate homelessness challenges informed by a best-practices framework focused on moving homeless individuals and families into permanent housing and supporting the efforts of those individuals and families to maintain their permanent housing.

(b) Upon appropriation by the Legislature, the council shall distribute the following amounts in accordance with this chapter:

(1) For round 1 of the program, six hundred fifty million dollars (\$650,000,000) in the 2019–20 fiscal year.

(2) For round 2 of the program, three hundred million dollars (\$300,000,000) in the 2020–21 fiscal year.

(3) For round 3 of the program, one billion dollars (\$1,000,000,000) in the 2021–22 fiscal year.

(4) For round 4 of the program, one billion dollars (\$1,000,000,000) in the 2022–23 fiscal year.

(5) For round 5 of the program, one billion dollars (\$1,000,000,000) in the 2023-2024 fiscal year.

(c) The council staff shall administer all aspects of the program. The program shall provide grant funds to cities, counties, continuums of care, and tribes.

(1) No more than 5 percent of the total allocation for each round of funding shall be used to cover the council's costs of administration of this chapter, including state operations expenditures and activities in support of statewide capacity building for recipients, including providing ongoing training and technical assistance, measuring data and performance, conducting research, and evaluation of funding service delivery demonstration projects.

(A) The council may utilize any unused funds from moneys set aside for program administration to augment existing allocation categories, including bonus funds and Tribal grants pursuant to existing allocation methodologies.

(B) Any unused funds from moneys set aside for program administration remaining by the expenditure deadline for the given appropriation shall be rolled over into the next round of appropriated funding, or will revert back to the General Fund.

(d) Contracts entered into or amended shall be exempt from the following:

(1) Chapter 6 (commencing with Section 14825) of Part 5.5 of Division 3 of Title 2 of the Government Code.

(2) The personal services contracting requirements of Article 4 (commencing with Section 19130) of Chapter 5 of Part 2 of Division 5 of Title 2 of the Government Code.

(3) Part 2 (commencing with Section 10100) of Division 2 of the Public Contract Code and the State Contracting Manual.

(4) Notwithstanding Section 11546 of the Government Code, from review or approval of any division of the Department of Technology, upon approval from the Department of Finance.

(5) From the review or approval of any division of the Department of General Services.

~~(d)~~ (e) The council's decision to council shall approve or deny an application and the determination of the amount of funding to be provided shall be final.

(f) If the applicant identifies substantive errors or omissions in their required data submissions, the council may, at its sole discretion, allow jurisdictions to modify or resubmit their data and, if applicable, may allow applicants to modify their outcome goals accordingly.

~~(e)~~ (g) The council shall maintain and make available to the public on its internet website records of the following:

(1) The number of applications for program funding received by the council.

(2) The number of applications for program funding denied by the council.

(3) The name of each recipient of program funds.

(4) Each applicant receiving funds pursuant to this chapter shall provide a list of all awards to subrecipients.

(5) Annual reports filed by recipients pursuant to Sections 50221, 50222, and 50223.

~~(f)~~ (h) In administering this chapter, the council shall not be subject to 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).

Section 50218.8 is added to the Health and Safety Code, to read:

(a) Upon appropriation by the Legislature, \$1,000,000,000 of the funds administered pursuant to this chapter, less the set aside provided for the Council's costs of administration in subdivision (c) of Section 50217, shall be made available in the 2023–24 fiscal year for implementing round 5 of the program, as follows:

(1) Not more than 80 percent of the funding available pursuant to this section shall be available to applicants that are cities, counties, or continuums of care, as follows:

(A) Thirty percent of the funds described in this paragraph shall be available to continuums of care. The council shall calculate these allocations to a continuum of care based on each continuum of care's proportionate share of the state's total homeless population, based on the homeless point-in-time count. The council shall not award more than 40 percent of the allocation made pursuant to this subparagraph to a continuum of care.

(B) Forty-two percent of the funds described in this paragraph shall be available to each city, or city that is also a county, that has a population of 300,000 or more, as of January 1, 2022, according to data published on the Department of

Finance's internet website. The council shall calculate the allocation to a city based on the city's proportionate share of the total homeless population of the region served by the continuum of care within which the city is located, based on the homeless point-in-time count. The council shall not award more than 45 percent of the program allocation made pursuant to this subparagraph to a city. If more than one recipient within the continuum of care meets the requirements of this subparagraph, the proportionate share of funds shall be equally allocated to those jurisdictions.

(C) Twenty-eight percent of the funds described in this paragraph shall be available to each county. The council shall calculate the allocation to a county based on the county's proportionate share of the total homeless population of the region served by the continuum of care within which the county is located, based on the homeless point-in-time count. The council shall not award more than 40 percent of the program allocation made pursuant to this subparagraph to a county.

(2) (A) Except as otherwise provided in subparagraph (C) of paragraph (3), not more than 18 percent of the funding available pursuant to this section shall be set aside for awarding bonus funds pursuant to subdivision (g).

(B) The council shall determine bonus award allocations based on the proportionate share of the homeless population for each continuum of care, city, and county, based on the homeless point-in-time count, of each jurisdiction that is eligible for bonus funding pursuant to subdivision (g) relative to the total homeless population of all jurisdictions eligible for bonus funding, and using other factors necessary, so that the award allocation is equitable and reasonable for the mix of jurisdictions eligible for bonus funding.

(C) The Council shall report to the chairs of the relevant fiscal and policy committees of both houses of the Legislature on the methodology used to determine the allocation of bonus funding within 30 days of making a determination on funding allocations. A report required to be submitted pursuant to this subparagraph shall be submitted in compliance with Section 9795 of the Government Code.

(3) Not more than 2 percent of the funding available pursuant to this section shall be available to tribal applicants. Notwithstanding any other provision of this chapter, the funds described in this paragraph shall be allocated as follows:

(A) A California tribe may apply for program funds and the council shall make allocations to tribes on the basis of need. Tribes that apply for program funds pursuant to subparagraph (B) shall be allocated funds up to their requested amount, or up to a total of twenty million dollars (\$20,000,000) collectively among all tribal applicants. If the total request for funds exceeds this amount, the council shall determine an allocation methodology based on each tribal applicant's proportionate share of need relative to all tribes that submit an application for funding.

(B) A tribal applicant seeking funds pursuant to this section shall submit an application to the council, in the form and manner prescribed by the council, no later than June 30, 2024, with the following information:

(i) The amount of grant funds the tribe is requesting.

(ii) An explanation of the tribe's local need, including an estimation of the number of people who need homelessness services and the current resources that exist.

(iii) A description of the services on which the tribe plans to spend its grant funds. These activities shall be allowable pursuant to subdivision (e) of Section 50220.7.

(C) Any funds available to tribal applicants pursuant to this paragraph that are unallocated as of July 1, 2026, shall be allocated as bonus awards pursuant to paragraph (2).

(D) A tribal applicant is encouraged to partner with a local continuum of care or coordinated entry system.

(b) An applicant applying for round 5 program funds pursuant to this section shall comply with the requirements set forth in Section 50220.6.

(c) A program recipient shall not use funding from the program allocated under this section to supplant existing local funds for homelessness services under penalty of disallowance or reduction, or both, of future program funds, as determined by the council.

(d)(1) No more than 5 percent of the appropriated funds shall be used to cover the council's costs of administration pursuant to section 50217.

(2) The council may expend administrative funds until December 31, 2028, to complete grant close-out activities.

(e) A program recipient shall use at least 10 percent of the funds allocated under this section for services for homeless youth populations.

(f) Moneys allocated pursuant to this section shall be expended in compliance with Housing First.

(g) (1) (A) If, by July 1, 2026, a recipient has met its outcome goals, as approved by the council in the recipient's application pursuant to subparagraph (B) of paragraph (2) of subdivision (b) of Section 50220.8, that recipient shall be eligible for bonus funding.

(B) The council shall determine whether a recipient has met its outcome goals, as approved by the council in the recipient's application pursuant to subparagraph (B) of paragraph (2) of subdivision (b) of Section 50220.8, through July 1, 2026. The council shall award bonus funding pursuant to this section as soon as data becomes available, but no later than November 1, 2026.

(2) The council may provide exceptions to the requirement to meet outcome goals pursuant to subparagraph (A) of paragraph (1) if the recipient demonstrates hardship by a disaster for which a state of emergency is proclaimed by the Governor pursuant to Chapter 7 (commencing with Section 8550) of Division 1 of Title 2 of the Government Code.

(h) Except as provided in paragraph (2) of subdivision (d), all round 5 program funds, including bonus funds, shall be expended by June 30, 2028.

Section 50220.6 of the Health and Safety Code is amended to read:

(a) Notwithstanding any law, a recipient that enters into an agreement as set forth in paragraph (10) of subdivision (a) of Section 50219, paragraph (7) of subdivision (b) of Section 50225.5, clause (iii) of subparagraph (B) of paragraph (3) of subdivision (b) of Section 50220.7, ~~and subparagraph (C) of paragraph (3) of subdivision (b) of Section 50220.8, and subparagraph (C) of paragraph (3) of subdivision (b) of Section 50220.9~~ shall provide data elements, including, but not limited to, health information, in a manner consistent with federal law, to the statewide ~~Homeless Management Information System~~ Homeless Data Integration System when the system becomes available.

(b) (1) The council shall specify the form and substance of the required data elements.

(2) The council may, as required by operational necessity, amend or modify data elements, disclosure formats, or disclosure frequency.

(3) Data elements entered into the Homelessness Data Integration System may be used by the council for purposes of researching and evaluating program outcomes.

(c) Any health information provided to, or maintained within, the statewide ~~Homeless Management Information System~~ Homeless Data Integration System shall not be subject to public inspection or disclosure under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code).

(d) For purposes of this paragraph, "health information" means "protected health information," as defined in Part 160.103 of Title 45 of the Code of Federal Regulations, and "medical information," as defined in subdivision (j) of Section 56.05 of the Civil Code.

SEC. 5. Section 50220.9 is added to the Health and Safety Code, to read:

(a) (1) The council shall make an application for round 5 program allocations available no later than November 30, 2023.

(2) Applications shall be due no later than 60 days from the date the council makes those applications available pursuant to paragraph (1).

(A) Applicants with overlapping geographic jurisdictions must work in close collaboration to develop and submit a joint application for their shared region.

(B) Applicants with overlapping geographic jurisdictions that wish to submit their applications separately will be required to submit an addendum to their application which describes, at a minimum, the following:

(i) The reasons for applying separately and any barriers they face in applying jointly.

(ii) The strategies they are utilizing to ensure cross-jurisdictional collaboration in support of their resource investments, local strategies, data sharing, and progress towards meeting their outcome goals. 49

(iii) The steps they are taking in support of being able to apply jointly for future rounds of program funding.

(3) Within 30 days of the application deadline pursuant to paragraph (2), the council shall either approve the application or return it to the applicant with written, detailed comments and request one or more of the following specific amendments to the application:

(A) Greater detail on any aspect of the application so that the council can ensure fidelity with the applicant's proposed use of funds and stated performance goals.

(B) Modifications or provision of additional information on the applicant's proposed funding plan to ensure alignment with evidence-based solutions to reduce homelessness.

(C) Any other modifications or provision of information that would allow the council to better monitor and evaluate the applicant's ability to meet objective performance standards in accordance with Sections 50221, 50222, and 50223.

(4) An applicant whose application has been returned pursuant to paragraph (3) shall respond to the council's requested amendments and submit a revised application within 30 days. Where the revised application differs from the council's requests, the applicant shall include an explanation of the differences and the rationale for departing from requested amendments.

(5) The council shall have 30 days within which to approve the application if, as amended, it addressed the council's concerns or to provide the grantee with additional guidance and a deadline for further amending to fully address the council's concerns.

(b) To receive a round 5 program allocation, an applicant shall submit an application to the council. A complete application submitted pursuant to this section shall provide the following information, in the form and manner prescribed by the council:

(1) A local homelessness action plan that includes the following, with data updated from the local homelessness action plan included in an application for a previous program allocation pursuant to subparagraph (A) of paragraph (3) of subdivision (b) of Section 50220.7:

(A) A local landscape analysis that assesses the current number of people experiencing homelessness and existing programs and funding which address homelessness within the jurisdiction, utilizing any relevant and available data from the Homeless Data Integration System, the United States Department of Housing and Urban Development's homeless point-in-time count, continuum of care housing inventory count, longitudinal systems analysis, and Stella tools, as well as any recently conducted local needs assessments.

(B) Identification of the number of individuals and families served, including demographic information and intervention types provided, and demographic subpopulations that are underserved relative to their proportion of individuals experiencing homelessness in the jurisdiction.

(C) Identification of all funds, including state, federal and local funds, currently being used, and budgeted to be used, to provide housing and homelessness-related services to persons experiencing homelessness or at imminent risk of homelessness, how this funding serves subpopulations, and what intervention types are funded through these resources.

(2) (A) New outcome goals that are specific, ambitious, achievable, and quantifiable to prevent and reduce homelessness over a three-year period, informed by the findings from the local landscape analysis described in subparagraph (A) of paragraph (1) and the jurisdiction's outcome goals specified in its application for a round 3 program allocation pursuant to subparagraph (C) of paragraph (3) of subdivision (b) of Section 50220.7. The outcome goals shall be based on the United States Department of Housing and Urban Development's system performance measures, including:

(i) Reducing the number of persons experiencing homelessness.

(ii) Reducing the number of persons who become homeless for the first time.

(iii) Increasing the number of people exiting homelessness into permanent housing.

(iv) Reducing the length of time persons remain homeless.

(v) Reducing the number of persons who return to homelessness after exiting homelessness to permanent housing.

(vi) Increasing successful placements from street outreach.

(vii) Homeless Management Information System trackable data goals related to the outcome goals listed above as they apply to underserved populations and overrepresented populations disproportionately impacted by homelessness.

(B) (i) Each applicant shall determine its outcome goals that build upon prior year goals in consultation with the council, and shall not submit its final outcome goals before consultation.

(ii) The council shall assess outcome goals in the application based on the information provided in the local homeless action plan and the applicant's baseline data on the performance metrics described in this paragraph and determine whether the outcome goals adequately further objectives of reducing and preventing homelessness pursuant to this paragraph, and may request additional documentation, information, or revisions to the outcome goals.

(C) Initial outcome goals should be met no later than June 30, 2026, and outcome goals shall be updated regularly, as funding continues.

(3) A narrative that includes the following:

(A)(i) An outline of proposed uses of funds including prioritization of funds as described in subdivision (g) and an explanation of how the proposed use of funds will complement the funds and equitably close the gaps identified pursuant to paragraph (1).

(B) Evidence of connection with the local homeless Coordinated Entry System.

(C) An agreement to participate in a statewide Homeless Data Integration System, and to enter individuals served by this funding into the local Homeless Management Information System, in accordance with local protocols.

(D) A demonstration of how the jurisdiction has coordinated, and will continue to coordinate, with other jurisdictions, including the specific role of each applicant in relation to other applicants in the region.

(E) A demonstration of the applicant's partnership with, or plans to use funding to increase partnership with, local health, behavioral health, social services, and justice entities and with people with lived experiences of homelessness.

(F) A description of specific actions the applicant will take to ensure racial and gender equity in service delivery, housing placements, and housing retention and changes to procurement or other means of affirming racial and ethnic groups that are overrepresented among residents experiencing homelessness have equitable access to housing and services.

(G) A description of how the applicant will make progress in preventing exits to homelessness from institutional settings, include plans to leverage funding from mainstream systems for evidence-based housing and housing-based solutions to homelessness.

(H) Specific and quantifiable systems improvements that the applicant will take to improve the delivery of housing and services to people experiencing homelessness or at risk of homelessness, including, but not limited to, the following:

(i) Capacity building and workforce development for the jurisdiction's administering staff and providers, including technical assistance to culturally specific providers.

(ii) Strengthening the data quality of the recipient's Homeless Management Information System.

(iii) Increasing capacity for pooling and aligning housing and services funding from existing, mainstream, and new funding.

(iv) Improving homeless point-in-time counts.

(v) Improving coordinated entry systems to eliminate racial bias or to create a youth-specific coordinated entry system.

(vi) Plans shall include strategies to meet outcome goals pursuant to paragraph (2).

(4) For city, county, and continuum of care applicants, an application pursuant to this subdivision shall be agendaized at a regular meeting by the governing body, including receiving public comment, before being submitted to the council.

(c) The council may request additional documentation and information from the applicant during consultation consistent with respect to round 5 program allocations consistent with the requirements of subdivision (b).

(d) (1) Within 30 days of receiving the final applications pursuant to subdivision (b), the council shall either approve the application and issue the notice of award to disburse 50 percent of an applicant's funding pursuant to subdivision (a) of Section 50218.7 or return it to the applicant with written, detailed comments and request one or more of the following specific amendments to the application:

(A) Greater detail on any aspect of the application so that the council can ensure fidelity with the applicant's proposed use of funds and agreed upon measurable outcome goals.

(B) Modifications or provision of additional information on the applicant's proposed funding plan to ensure alignment with the applicant's stated measurable outcome goals and with evidence-based solutions to reduce homelessness.

(C) Any other modifications or provision of information that would allow the council to better monitor and evaluate the applicant's ability to meet objective outcome standards in accordance with Sections 50221, 50222, and 50223.

(2) Upon approval of an application pursuant to this section, the council shall disburse 50 percent of an eligible city's, county's, or continuum of care's total allocation pursuant to subdivision (a) of Section 50218.8.

(e) Except as provided in subdivision (k) a recipient of a round 5 program allocation, including tribal recipients, shall expend funds on evidence-based solutions that address and prevent homelessness among eligible populations.

(f) The intent of HHAP round 5 is to sustain existing federal, state, and local investments towards long term sustainability of housing and supportive services. Grantees will be expected to furnish data-driven plans which fund the state's priorities.

(g) The following shall be prioritized for funding, in the absence of other resources and to the extent necessary:

(1) Operating subsidies to support permanent and supportive housing sites, whether new or existing, to include programs such as Homekey.

(2) Operating subsidies to support new or existing residential care facilities, funded by the Behavioral Health Continuum Infrastructure Program and/or the Community Care Expansion Program.

(3) Sustaining interim and permanent housing funded by previous allocations of HHAP and various programs such as Project Roomkey.

(4) Supplementing resources to address housing placements and/or direct client services for eligible participants in the program known as CARE COURT.

(5) Street outreach to assist persons experiencing homelessness, including but not limited to persons experiencing homelessness from encampment sites and those transitioning out of encampment sites funded by the program known as the Encampment Resolution Grant consistent with Health and Safety Code 50251 to access permanent housing and services.

(A) A program recipient shall not use funding from the program allocated under this section to supplant existing Encampment Resolution Grant funds provided under Health and Safety Code 50251.

(6) Establishing new and additional permanent housing units by means of master leasing of sites or capital expenditures, or as site conversion, renovation, and gap funding for other capital projects.

(h) Applicants may apply to utilize HHAP expenditures for allowable uses described below but not enumerated in subdivision (g), upon approval by the council, using the process described in subdivisions (i) and (j).

(1) Rapid rehousing, including rental subsidies and incentives to landlords, such as security deposits and holding fees.

(2) Operating subsidies in new and existing affordable or supportive housing units.

(3) Services coordination, which may include access to workforce, education, and training programs, or other services needed to promote housing stability in supportive housing.

(4) Systems support for activities necessary to create regional partnerships and maintain a homeless services and housing delivery system, particularly for vulnerable populations, including families and homeless youth.

(5) Prevention and shelter diversion to permanent housing, including rental subsidies.

(6) Interim sheltering, limited to newly developed clinically enhanced congregate shelters, new or existing noncongregate shelters, and operations of existing navigation centers and shelters based on demonstrated need. Demonstrated need for purposes of this paragraph shall be based on the following:

(A) The number of available shelter beds in the city, county, or region served by a continuum of care.

(B) The number of people experiencing unsheltered homelessness in the homeless point-in-time count.

(C) Shelter vacancy rate in the summer and winter months.

(D) Percentage of exits from emergency shelters to permanent housing solutions.

(E) A plan to connect residents to permanent housing.

(F) Any new interim sheltering funded by round 5 funds must be low-barrier, comply with Housing First as provided in Chapter 6.5 (commencing with Section 8255) of Division 8 of the Welfare and Institutions Code, and prioritize interventions other than congregate shelters.

(7) Improvements to existing emergency shelters to lower barriers and increase privacy.

(i) Applicants may request, in a form prescribed by the council, approval to utilize HHAP funding on allowable expenditures outside of the state's intended priorities, as enumerated in subdivision (g).

(j) The council may grant applicants pre-approval to utilize HHAP funding on allowable uses only after an applicant has demonstrated that state priorities are adequately resourced, and the applicant has exhausted all means to accomplish these priorities.

(k) An applicant shall not use more than 7 percent of a round 5 program allocation for administrative costs incurred by the city, county, continuum of care, or tribe to administer its program allocation. For purposes of this subdivision, "administrative costs" does not include staff or other costs directly related to implementing activities funded by the program allocation.

(l) A recipient of a round 5 program allocation shall comply with Housing First as provided in Chapter 6.5 (commencing with Section 8255) of Division 8 of the Welfare and Institutions Code.

(m) Notwithstanding Section 27011 of the Government Code, or any other law governing the deposit of funds in the county treasury, a county may accept or deposit into the county treasury funds from any source for the purpose of administering a project, proposal, or program under this chapter.

(n) For purposes of Section 1090 of the Government Code, a representative of a county serving on a board, committee, or body with the primary purpose of administering funds or making funding recommendations for applications pursuant to this chapter shall have no financial interest in any contract, program, or project voted on by the board, committee, or body on the basis of the receipt of compensation for holding public office or public employment as a representative of the county.

(o) The council and recipients shall post final round 5 program applications to their respective internet websites within 30 days of disbursement to the applicant.

(p) (1) A recipient shall contractually obligate not less than 75 percent, and shall expend not less than 50 percent, of the initial round 5 program allocations made to it pursuant to paragraph (2) of subdivision (d) no later than May 31, 2026.

(2) Upon demonstration by a recipient city, county, or continuum of care that it has complied with the requirement to contractually obligated and expend a minimum amount of its round 5 program allocation pursuant to paragraph (1), and remains on track to meet its outcome goals, as determined by the council pursuant to Section 50223, the council shall disburse to that recipient the remaining 50 percent of its total allocation pursuant to subdivision (a) of Section 50218.8.

(3) If less than 75 percent of a recipient's round 5 program allocation made pursuant to paragraph (2) of subdivision (d) is obligated, or less than 50 percent of that amount is expended, after May 31, 2026, the recipient shall not contractually obligate or expend any remaining portion of its round 5 program allocations, and the council shall not allocate to the recipient the remaining 50 percent of its total allocation, unless both of the following occur:

(A) On or before June 30, 2026, the recipient submits an alternative disbursement plan that includes an explanation for the delay.

(B) The council approves the alternative disbursement plan submitted pursuant to subparagraph (A).

(4) On or before December 31, 2027, a recipient shall return to the council any funds that have not been expended pursuant to an alternative disbursement plan approved pursuant to subparagraph (B) of paragraph (3), to be allocated as bonus awards by the council to eligible recipients in accordance with subdivision (g) of Section 50218.8.

(5) Recipients that do not meet the requirements of paragraph (1) shall not be eligible for bonus funding awarded pursuant to subdivision (g) of Section 50218.8.

(q) (1) No later than June 30, 2026, recipients shall demonstrate whether they have successfully met their outcome goals pursuant to paragraph (2) of subdivision (b).

(2) Jurisdictions that meet their outcome goals shall be eligible for bonus funding, as provided in subdivision (g) of Section 50218.8.

(3) Jurisdictions that have not met their outcome goals shall not be eligible for bonus funding and shall accept technical assistance from council staff. In addition, jurisdictions that have not met their outcome goals may also be required to limit the allowable uses of these program funds, as determined by the council.

(r) The council may request additional information from applicants, as needed, to meet other applicable reporting or audit requirements.

(n) In addition to requirements in Section 50222, the council may monitor the expenditures and programmatic activities of an applicant, as the council deems necessary, to ensure compliance with round 5 program requirements and adequate progress towards meeting outcome goals.

(s) The council may, as it deems appropriate or necessary, request the repayment of round 5 program funds from an applicant, or pursue any other remedies available to it by law for failure to comply with program requirements.

(t) Any remaining amounts of round 5 program allocation funds, including bonus funds, not expended by June 30, 2028, shall revert to, and be paid and deposited in, the General Fund.

Section 50221 of the Health and Safety Code is amended to read:

(a) After receiving program funds, a recipient, by January 1 of the year following receipt of the funds and annually on that date thereafter until all funds have been expended, shall submit a report to the council on a form and method provided by the council, that includes all of the following, as well as any additional information the council deems appropriate or necessary:

(1) An ongoing tracking of the specific uses and expenditures of any program funds broken out by eligible uses listed, including the current status of those funds.

(2) The number of homeless individuals served by the program funds in that year, and a total number served in all years of the program, as well the homeless population served.

(3) The types of housing assistance provided, broken out by the number of individuals.

(4) Outcome data for an individual served through program funds, including the type of housing that an individual exited to, the percent of successful housing exits, and exit types for unsuccessful housing exits.

(b) No later than January 1, 2026, each applicant that receives a round 1 program allocation shall submit to the council a final report in a format provided by the council, as well as detailed uses of all program funds.

(c) The council shall post this information to its internet website within 30 days of receipt and upon data verification. The council shall provide notice to the Senate

Housing Committee, Assembly Housing and Community Development Committee, and the appropriate Fiscal Committees.

Section 50223 of the Health and Safety Code is amended to read:

(a) Beginning with round 3 of the program, in addition to the data required under Sections 50221 and 50222, applicants shall provide the following information for all rounds of program allocations through a data collection, reporting, performance monitoring, and accountability framework, as established by the council:

(1) (A) Data on the applicant's progress towards meeting their outcome goals, which shall be submitted annually on December 31 of each year through the duration of the program.

(B) If the applicant has not made significant progress toward their outcome goals, the applicant shall submit a description of barriers and possible solutions to those barriers.

(C) Applicants that do not demonstrate significant progress towards meeting outcome goals shall accept technical assistance from the council and may also be required to limit the allowable uses of these program funds, as determined by the council.

(2) (A) A quarterly fiscal report of program funds expended and obligated in each allowable budget category approved in their application for program funds.

(B) If the applicant has not made significant progress toward their outcome goals, then the applicant shall report on their outcome goals in their quarterly report.

(3) The council shall compile and post a statewide report that aggregates each applicant's outcome goals into a single statewide set of metrics.

(b) No later than October 1, 2026, each recipient that receives a round 3 program allocation shall submit to the council a final report in a format provided by the council, as well as detailed uses of all program funds.

(c) No later than October 1, 2027, each recipient that receives a round 4 program allocation shall submit to the council a final report in a format provided by the council, as well as detailed uses of all program funds.

(d) No later than October 1, 2028, each recipient that receives a round 5 program allocation shall submit to the council a final report in a format provided by the council, as well as detailed uses of all program funds.

Section 8257 of Welfare Institutions Code is amended to read:

(a) The Governor shall create an Interagency Council on Homelessness.

(b) The council shall have all of the following goals:

(1) To oversee implementation of this chapter.

(2) To identify mainstream resources, benefits, and services that can be accessed to prevent and end homelessness in California.

- (3) To create partnerships among state agencies and departments, local government agencies, participants in the United States Department of Housing and Urban Development's Continuum of Care Program, federal agencies, the United States Interagency Council on Homelessness, nonprofit entities working to end homelessness, homeless services providers, and the private sector, for the purpose of arriving at specific strategies to end homelessness.
- (4) To promote systems integration to increase efficiency and effectiveness while focusing on designing systems to address the needs of people experiencing homelessness, including unaccompanied youth under 25 years of age.
- (5) To coordinate existing funding and applications for competitive funding. Any action taken pursuant to this paragraph shall not restructure or change any existing allocations or allocation formulas.
- (6) To make policy and procedural recommendations to legislators and other governmental entities.
- (7) To identify and seek funding opportunities for state entities that have programs to end homelessness, including, but not limited to, federal and philanthropic funding opportunities, and to facilitate and coordinate those state entities' efforts to obtain that funding.
- (8) To broker agreements between state agencies and departments and between state agencies and departments and local jurisdictions to align and coordinate resources, reduce administrative burdens of accessing existing resources, and foster common applications for services, operating, and capital funding.
- (9) To serve as a statewide facilitator, coordinator, and policy development resource on ending homelessness in California.
- (10) To report to the Governor, federal Cabinet members, and the Legislature on homelessness and work to reduce homelessness.
- (11) To ensure accountability and results in meeting the strategies and goals of the council.
- (12) To identify and implement strategies to fight homelessness in small communities and rural areas.
- (13) To create a statewide data system or warehouse, which shall be known as the Homeless Data Integration System, that collects local data through Homeless Management Information Systems, with the ultimate goal of matching data on homelessness to programs impacting homeless recipients of state programs, such as the Medi-Cal program (Chapter 7 (commencing with Section 14000) of Part 3 of Division 9) and CalWORKs (Chapter 2 (commencing with Section 11200) of Part 3 of Division 9). Upon creation of the Homeless Data Integration System, all continuums of care, as defined in Section 578.3 of Title 24 of the Code of Federal Regulations, that are operating in California shall provide collected data elements, including, but not limited to, health information, in a manner consistent with federal law, to the Homeless Data Integration System.
 - (A) Council staff shall specify the form and substance of the required data elements.

(B) Council staff may, as required by operational necessity, and in accordance with paragraph (8) of subdivision (d) of Section 8256, amend or modify data elements, disclosure formats, or disclosure frequency.

(C) To further the efforts to improve the public health, safety, and welfare of people experiencing homelessness in the state, council staff may collect data from the continuums of care as provided in this paragraph.

(D) Any health information or personal identifying information provided to, or maintained within, the Homeless Data Integration System shall not be subject to public inspection or disclosure under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code).

(E) For purposes of this paragraph, "health information" includes "protected health information," as defined in Part 160.103 of Title 45 of the Code of Federal Regulations, and "medical information," as defined in subdivision (j) of Section 56.05 of the Civil Code.

(14) To set goals to prevent and end homelessness among California's youth.

(15) To improve the safety, health, and welfare of young people experiencing homelessness in the state.

(16) To increase system integration and coordinating efforts to prevent homelessness among youth who are currently or formerly involved in the child welfare system or the juvenile justice system.

(17) To lead efforts to coordinate a spectrum of funding, policy, and practice efforts related to young people experiencing homelessness.

(18) To identify best practices to ensure homeless minors who may have experienced maltreatment, as described in Section 300, are appropriately referred to, or have the ability to self-refer to, the child welfare system.

(19) To collect, compile, and make available to the public financial data provided to the council from all state-funded homelessness programs.

(c) (1) The council shall consist of the following members:

(A) The Secretary of the Business, Consumer Services and Housing Agency and the Secretary of the California Health and Human Services Agency, who both shall serve as cochairs of the council.

(B) The Director of Transportation.

(C) The Director of Housing and Community Development.

(D) The Director of Social Services.

(E) The Director of the California Housing Finance Agency.

(F) The Director or the State Medicaid Director of Health Care Services.

(G) The Secretary of Veterans Affairs.

(H) The Secretary of the Department of Corrections and Rehabilitation.

(I) The Executive Director of the California Tax Credit Allocation Committee in the Treasurer's office.

(J) The State Public Health Officer.

(K) The Director of the California Department of Aging.

(L) The Director of Rehabilitation.

- (M) The Director of State Hospitals.
- (N) The executive director of the California Workforce Development Board.
- (O) The Director of the Office of Emergency Services.
- (P) A representative from the State Department of Education, who shall be appointed by the Superintendent of Public Instruction.
- (Q) A representative of the state public higher education system who shall be from one of the following:
- (i) The California Community Colleges.
 - (ii) The University of California.
 - (iii) The California State University.
- (2) The Senate Committee on Rules and the Speaker of the Assembly shall each appoint one member to the council from two different stakeholder organizations.
- (3) The council may, at its discretion, invite stakeholders, individuals who have experienced homelessness, members of philanthropic communities, and experts to participate in meetings or provide information to the council.
- (4) The council shall hold public meetings at least once every quarter.
- (d) The council shall regularly seek guidance from and, at least twice a year, meet with an advisory committee. Notwithstanding section 11123.5 of Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code), all members of the advisory committee may participate remotely in advisory committee meetings, including meetings held with the council, and no members are required to be present at the designated primary physical meeting location. The cochairs of the council shall appoint members to this advisory committee that reflects racial and gender diversity, and shall include the following:
- (1) A survivor of gender-based violence who formerly experienced homelessness.
 - (2) Representatives of local agencies or organizations that participate in the United States Department of Housing and Urban Development's Continuum of Care Program.
 - (3) Stakeholders with expertise in solutions to homelessness and best practices from other states.
 - (4) Representatives of committees on African Americans, youth, and survivors of gender-based violence.
 - (5) A current or formerly homeless person who lives in California.
 - (6) A current or formerly homeless youth who lives in California.
 - (7) This advisory committee shall designate one of the above-described members to participate in every quarterly council meeting to provide a report to the council on advisory committee activities.
- (e) Within existing funding, the council may establish working groups, task forces, or other structures from within its membership or with outside members to assist it in its work. Working groups, task forces, or other structures established by the council shall determine their own meeting schedules.

- (f) Upon request of the council, a state agency or department that administers one or more state homelessness programs, including, but not limited to, an agency or department represented on the council pursuant to subdivision (c), the agency or department shall be required to do both of the following:
- (1) Participate in council workgroups, task forces, or other similar administrative structures.
 - (2) Provide to the council any relevant information regarding those state homelessness programs.
- (g) The members of the council shall serve without compensation, except that members of the council who are, or have been, homeless may receive reimbursement for travel, per diem, or other expenses. The members of the advisory committee and any council working group shall receive a per diem of one hundred dollars (\$100) for each day spent in attendance at advisory committee meetings, and shall also be reimbursed for traveling and other expenses necessarily incurred in the performance of official duties.
- (h) The appointed members of the council or committees, as described in this section, shall serve at the pleasure of their appointing authority.
- (i) The Business, Consumer Services and Housing Agency shall provide staff for the council.
- (j) The members of the council may enter into memoranda of understanding with other members of the council to achieve the goals set forth in this chapter, as necessary, in order to facilitate communication and cooperation between the entities the members of the council represent.
- (k) There shall be an executive officer of the council under the direction of the Secretary of Business, Consumer Services and Housing.
- (l) The council shall be under the direction of the executive officer and staffed by employees of the Business, Consumer Services and Housing Agency.