

Committee Substitute for Committee Substitute for
Committee Substitute for Senate Bill No. 446

An act relating to homelessness; amending s. 228.041, F.S.; redefining the term "homeless child"; amending ss. 232.03, 232.0315, 232.032, F.S.; revising the deadline for submission of documents for school registration; amending s. 420.5087, F.S.; relating to the State Apartment Incentive Loan Program; revising the requirements for qualifying to participate in the program; adding the homeless to the list of eligible tenant groups; amending s. 420.5092, F.S.; increasing the amount of revenue bonds the Florida Housing Finance Corporation may issue for the corporation's guarantee fund; amending s. 420.511, F.S.; revising reporting requirements of the Florida Housing Finance Corporation; amending s. 420.609, F.S.; relating to the Affordable Housing Study Commission; revising the membership of the commission; requiring the commission to analyze how to address the acute need for housing for the homeless; amending s. 420.621, F.S.; redefining the term "homeless"; creating s. 420.622, F.S.; creating the State Office on Homelessness within the Department of Children and Family Services; authorizing the Governor to appoint an executive director for the State Office on Homelessness; creating the Council on Homelessness; providing for council membership; providing for council members to be reimbursed for travel expenses; providing for grants for homeless assistance continuums of care; providing grants for homeless housing assistance; prescribing duties and responsibilities of the State Office of Homelessness; requiring the Department of Children and Family Services to adopt rules with input from the Council on Homelessness; requiring an annual report; amending s. 420.623, F.S.; revising the list of organizations that may participate in local homeless coalitions; revising the functions of local homeless coalitions; creating s. 420.624, F.S.; establishing guidelines for local homeless continuum of care; creating s. 420.626, F.S.; establishing guidelines for discharging persons at risk for homelessness from facilities serving persons with mental illness or substance abuse; amending s. 420.9075, F.S.; expanding the list of partners that counties and cities are encouraged to involve in developing housing assistance plans; amending s. 445.009, F.S.; revising regional workforce boards' one-stop delivery system; requiring the Office of Program, Policy Analysis, and Government Accountability to report on homelessness; dedicating December 21 as the Homeless Persons' Memorial Day; providing an appropriation for Challenge Grants; providing an appropriation for positions in local homeless coalitions; providing appropriations for the Department of Children and Family Services; providing an effective date.

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

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

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

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

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

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

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

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

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

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

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

(35) HOMELESS CHILD.—A homeless child is:

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

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

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

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

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

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

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

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

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

(7) If none of these evidences can be produced, an affidavit of age sworn to by the parent, accompanied by a certificate of age signed by a public health officer or by a public school physician, or, if neither of these shall be available in the county, by a licensed practicing physician designated by the school board, which certificate shall state that the health officer or physician has examined the child and believes that the age as stated in the affidavit is substantially correct. A homeless child, as defined in s. 228.041, shall be given temporary exemption from this section for 30 school days.

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

232.0315 School-entry health examinations.—

(1) The school board of each district and the governing authority of each nonpublic school shall require that each child who is entitled to admittance to prekindergarten or kindergarten, or is entitled to any other initial entrance into a public or nonpublic school in this state, present a certification of a school-entry health examination performed within 1 year prior to enrollment in school. The school board of each district, and the governing authority of each nonpublic school, may establish a policy which permits a student up to 30 school days to present a certification of a school-entry health examination. A homeless child, as defined in s. 228.041, shall be given a temporary exemption for 30 school days. Any school board which establishes such a policy shall include provisions in its local school health services plan to

assist students in obtaining the health examinations. However, any child shall be exempt from the requirement of a health examination upon written request of the parent or guardian of such child stating objections to such examination on religious grounds.

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

232.032 Immunization against communicable diseases; school attendance requirements; exemptions.—

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

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

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

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

(3) During the first 6 months of loan or loan guarantee availability, program funds shall be reserved for use by sponsors who provide the housing set-aside required in subsection (2) for ~~tenants in the three~~ tenant groups designated in this subsection. The reservation of funds to each of these groups shall be determined using the most recent statewide very-low-income rental housing market study available at the time of publication of each notice of fund availability required by paragraph (6)(b). The reservation of funds within each notice of fund availability to the three tenant groups in paragraphs (a), (b), and (d) designated in this subsection may not be less than 10 percent of the funds available at that time. Any increase in funding required to reach the 10-percent minimum shall be taken from the tenant group that has the largest reservation. The reservation of funds within each notice of fund availability to the tenant group in paragraph (c) may not be less than 5 percent of the funds available at that time. ~~The three~~ tenant groups are:

(a) Commercial fishing workers and farmworkers;

- (b) Families; ~~and~~
- (c) Persons who are homeless; and
- (d)(e)1. Elderly persons.

~~2. Ten percent of the amount reserved for the elderly pursuant to subparagraph 1. shall be reserved to provide loans to sponsors of housing for the elderly, as defined in s. 420.503, for the purpose of making building preservation, health, or sanitation repairs or improvements which are required by federal, state, or local regulation or code, or lifesafety or security-related repairs or improvements to such housing. Such a loan for a lifesafety, building preservation, health, sanitation, or security-related repair or improvement may not exceed \$200,000 per housing community for the elderly. In order to receive the loan, the sponsor of the housing community for the elderly must make a commitment to match at least 15 percent of the loan amount to pay the cost of such repair or improvement. The corporation shall establish the rate of interest on the loan, which may not exceed 3 percent, and the term of the loan, which may not exceed 15 years. The term of the loan shall be established on the basis of a credit analysis of the applicant. The corporation shall establish, by rule, the procedure and criteria for receiving, evaluating, and competitively ranking all applications for loans under this paragraph subparagraph. A loan application must include evidence of the first mortgagee's having reviewed and approved the sponsor's intent to apply for a loan. A nonprofit organization or sponsor may not use the proceeds of the a loan received pursuant to this subparagraph to pay for administrative costs, routine maintenance, or new construction.~~

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

420.5092 Florida Affordable Housing Guarantee Program.—

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

(a) “Affordable housing guarantee” means an obligation of the guarantee fund to guarantee the payment of an obligation made to finance or refinance the purchase, construction, or rehabilitation of eligible housing.

(b) “Annual debt service reserve” means the reserve maintained in the guarantee fund in an amount equal to the maximum reserve amount for each series of revenue bonds issued to establish the guarantee fund.

(c) “Corporation” means the Florida Housing Finance Corporation.

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

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

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

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

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

420.511 Business plan; strategic plan; annual report.—

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

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

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

2. The number of units produced under each program.

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

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

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

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

7. The number of farmworkers served under each program.

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

9.8. The number of elderly persons served under each program.

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

11.10. Any other information the corporation deems appropriate.

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

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

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

- (a) One citizen actively engaged in the residential home building industry.
- (b) One citizen actively engaged in the home mortgage lending profession.
- (c) One citizen actively engaged in the real estate sales profession.
- (d) One citizen actively engaged in apartment development.
- (e) One citizen actively engaged in the management and operation of a rental housing development.
- (f) Two citizens who represent very-low-income and low-income persons.
- (g) One citizen representing a community-based organization with experience in housing development.
- (h) One citizen representing a community-based organization with experience in housing development in a community with a population of less than 50,000 persons.
 - (i) Two citizens who represent elderly persons' housing interests.
 - (j) One representative of regional planning councils.
 - (k) One representative of the Florida League of Cities.
 - (l) One representative of the Florida Association of Counties.
 - (m) Two citizens representing statewide growth management organizations.
 - (n) One citizen of the state to serve as chair of the commission.
 - (o) One citizen representing a residential community developer.
 - (p) One member ~~Three members~~ who is a resident ~~are residents~~ of the state.
 - (q) One representative from a local housing authority.
 - (r) One citizen representing the housing interests of homeless persons.
- (4) The commission shall analyze those solutions and programs which could begin to address the state's acute need for housing for the homeless; for very-low-income, low-income, and moderate-income persons; and for elderly persons, including programs or proposals which provide for:
 - (a) ~~Offering of~~ low-interest and zero-interest loans for the development or rehabilitation of housing;
 - (b) Use of publicly owned lands and buildings as affordable housing sites;
 - (c) Coordination with federal initiatives, including development of an approved housing strategy;

- (d) Streamlining of the various state, regional, and local regulations, and housing and building codes governing the housing industry;
- (e) Stimulation of public and private cooperative housing efforts;
- (f) Implementation or expansion of the programs authorized in this chapter;
- (g) Discovery and assessment of ~~sources of~~ sources for low-cost housing construction and rehabilitation; and
- (h) Development of such other solutions and programs as the commission deems appropriate.

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

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

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

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

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

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

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

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

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

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

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

420.622 State Office on Homelessness; Council on Homelessness.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(4) Not less than 120 days after the effective date of this act, the State Office on Homelessness, with the concurrence of the Council on Homelessness, may accept and administer moneys appropriated to it to provide "Chal-

lenge Grants” annually to lead agencies for homeless assistance continuums of care designated by the State Office on Homelessness. A lead agency may be a local homeless coalition, municipal or county government, or other public agency or private, not-for-profit corporation. Such grants may be up to \$500,000 per lead agency.

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

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

(c) Preference must be given to lead agencies in catchment areas with the greatest need for the provision of housing and services to the homeless, relative to the population of the catchment area.

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

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

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

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

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

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

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

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

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

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

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

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

420.623 Local coalitions for the homeless.—

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

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

(b) County health departments and community health centers.

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

(d) Local law enforcement agencies.

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

(f) County and municipal governments.

(g) Local public housing authorities.

(h) Local school districts.

(i) Local organizations and agencies serving specific subgroups of the homeless population, including, but not limited to, those serving veterans, victims of domestic violence, person with HIV/AIDS, and runaway youth.

(j) Local community-based care alliances.

(2) FUNCTIONS OF LOCAL COALITIONS.—Major functions of the local coalitions are ~~shall be~~ to:

(a) Develop or assist with the development of the local homeless continuum of care plan, as described in s. 420.624, for the catchment area containing the county or region served by the local homeless coalition. Unless otherwise specified in the plan or as a result of an agreement with another coalition in the same catchment area, the local coalition shall serve as the lead agency for the local homeless assistance continuum of care.

(b) Discuss local issues related to homelessness and the needs of the homeless.

~~(c)(b)~~ Inventory all local resources for the homeless, including, but not limited to, food assistance, clothing, emergency shelter, low-cost housing, emergency medical care, counseling, training, and employment.

~~(d)(c)~~ Review and assess all services and programs in support of the homeless and identify unmet needs of the homeless.

~~(e)(d)~~ Facilitate Plan ~~for~~ the delivery of multiagency services for the homeless to eliminate duplication of services and to maximize the use of limited existing resources for the homeless.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

420.624 Local homeless assistance continuum of care.—

(1) A local homeless assistance continuum of care is a framework for a comprehensive and seamless array of emergency, transitional, and permanent housing, and services to address the various needs of homeless persons and persons at-risk for homelessness. The nature and configuration of housing and services may be unique to each community or region, depending on local needs, assets, and preferences.

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

(3) Communities or regions seeking to implement a local homeless assistance continuum of care are encouraged to develop and annually update a written plan that includes a vision for the continuum of care, an assessment of the supply of and demand for housing and services for the homeless population, and specific strategies and processes for providing the compo-

nents of the continuum of care. The State Office on Homelessness shall supply a standardized format for written plans.

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

(5) Continuum of care catchment areas must be designated and revised as necessary by the State Office on Homelessness, with the input of local homeless coalitions and public or private organizations that have previously certified to the U.S. Department of Housing and Urban Development and that currently serve as lead agencies for a local homeless assistance continuum of care. Designated catchment areas must not be overlapping. The designations must be consistent with those made by the U.S. Department of Housing and Urban Development in conjunction with the awarding of federal Stewart B. McKinney Act homeless assistance funding.

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

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

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

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

(c) Transitional housing;

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

(e) Permanent supportive housing;

(f) Permanent housing;

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

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

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

1. Single adult males;
2. Single adult females;
3. Families with children;
4. Families with no children;
5. Unaccompanied children and youth;
6. Elderly persons;
7. Persons with drug or alcohol addictions;
8. Person with mental illness;
9. Persons with dual or multiple physical or mental disorders;
10. Victims of domestic violence; and
11. Persons living with HIV/AIDS.

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

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

420.626 Homelessness; discharge guidelines.—

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

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

(3) The procedures should include:

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

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

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

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

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

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

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

420.9075 Local housing assistance plans; partnerships.—

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

1. Lending institutions.
2. Housing builders and developers.
3. Nonprofit and other community-based housing and service organizations.
4. Providers of professional services relating to affordable housing.
5. Advocates for low-income persons, including, but not limited to, homeless people, the elderly, and migrant farmworkers.

6. Real estate professionals.

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

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

445.009 One-stop delivery system.—

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

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

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

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

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

(3) The sum of \$197,668 is appropriated to the grant-in-aid program specified in section 420.625, Florida Statutes, within the Department of

Children and Family Services from the General Revenue Fund for fiscal year 2001-2002 to fund an increase in its annual appropriation. Funding for this subsection shall be implemented in accordance with the General Appropriations Act for the 2001-2002 fiscal year.

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

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

Approved by the Governor May 31, 2001.

Filed in Office Secretary of State May 31, 2001.