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An act to amend Section 8255 of the Welfare and Institutions Code,
relating to homelessness.



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

SECTION 1. Section 8255 of the Welfare and Institutions Code is amended to read:

8255. For purposes of this chapter:

(a) "Coordinating council" means the Homeless Coordinating and Financing Council established pursuant to Section 8257.

(b) "Core components of Housing First" means all of the following:

(1) Tenant screening and selection practices that promote accepting applicants regardless of their sobriety or use of substances, completion of treatment, or participation in services.

(2) Applicants are not rejected on the basis of poor credit or financial history, poor or lack of rental history, criminal convictions unrelated to tenancy, or behaviors that indicate a lack of "housing readiness."

(3) Acceptance of referrals directly from shelters, street outreach, drop-in centers, and other parts of crisis response systems frequented by vulnerable people experiencing homelessness.

(4) Supportive services that emphasize engagement and problem solving over therapeutic goals and service plans that are highly tenant-driven without predetermined goals.

(5) Participation in services or program compliance is not a condition of permanent housing tenancy.

(6) Tenants have a lease and all the rights and responsibilities of tenancy, as outlined in California's Civil, Health and Safety, and Government codes.

(7) The use of alcohol or drugs in and of itself, without other lease violations, is not a reason for eviction.

(8) In communities with coordinated assessment and entry systems, incentives for funding promote tenant selection plans for supportive housing that prioritize eligible tenants based on criteria other than "first-come-first-serve," including, but not limited to, the duration or chronicity of homelessness, vulnerability to early mortality, or high utilization of crisis services. Prioritization may include triage tools, developed through local data, to identify high-cost, high-need homeless residents.

(9) Case managers and service coordinators who are trained in and actively employ evidence-based practices for client engagement, including, but not limited to, motivational interviewing and client-centered counseling.

(10) Services are informed by a harm-reduction philosophy that recognizes drug and alcohol use and addiction as a part of tenants' lives, where tenants are engaged in nonjudgmental communication regarding drug and alcohol use, and where tenants are offered education regarding how to avoid risky behaviors and engage in safer practices, as well as connected to evidence-based treatment if the tenant so chooses.

(11) The project and specific apartment may include special physical features that accommodate disabilities, reduce harm, and promote health and community and independence among tenants.

(c) "Homeless" has the same definition as that term is defined in Section 91.5 of Title 24 of the Code of Federal Regulations.

(d) (1) "Housing First" means the evidence-based model that uses housing as a tool, rather than a reward, for recovery and that centers on providing or connecting



homeless people to permanent housing as quickly as possible. Housing First providers offer services as needed and requested on a voluntary basis and that do not make housing contingent on participation in services.

(2) (A) "Housing First" includes time-limited rental or services assistance, so long as the housing and service provider assists the recipient in accessing permanent housing and in securing longer-term rental assistance, income assistance, or employment.

(B) For time-limited, supportive services programs serving homeless youth, programs should use a positive youth development model and be culturally competent to serve unaccompanied youth under 25 years of age. Providers should work with the youth to engage in family reunification efforts, where appropriate and when in the best interest of the youth. In the event of an eviction, programs shall make every effort, which shall be documented, to link tenants to other stable, safe, decent housing options. Exit to homelessness should be extremely rare, and only after a tenant refuses assistance with housing search, location, and move-in assistance.

(e) (1) "Recovery housing" means sober living facilities and programs that provide housing in an abstinence-focused and peer-supported community.

(2) Recovery housing that does not meet the criteria of paragraphs (1) and (7) of subdivision (b) is still within the definition set forth in subdivision (b) if it complies with all of the following:

(A) Participation in recovery housing is voluntary, subject to exceptions for court-ordered participation or conditions of release for individuals under the jurisdiction of county probation or the Department of Corrections and Rehabilitation.

(B) There are minimal barriers to entry into the program, so that long periods of sobriety, income requirements, clean criminal records, or clear eviction histories are not required for program entry. Entry may be subject to availability of program slots or funding.

(C) The program includes relapse support that does not automatically evict or discharge a program participant from the program for a temporary lapse, but may include the movement of program participants to higher levels of care, if available and appropriate, based upon treatment needs and actions taken to ensure the safety and security of all other program participants.

(D) Participants who determine they are no longer interested in living in a housing setting with an abstinence focus, or who are discharged from the program or evicted from the housing, are offered assistance in accessing other housing and services options, including options operated in compliance with Housing First with harm reduction principles.

(e)

(f) "State programs" means any programs a California state agency or department funds, implements, or administers for the purpose of providing housing or housing-based services to people experiencing homelessness or at risk of homelessness, with the exception of federally funded programs with requirements inconsistent with this chapter or programs that fund emergency shelters.



LEGISLATIVE COUNSEL'S DIGEST

Bill No.
as introduced, _____.
General Subject: Homeless Coordinating and Financing Council.

Existing law requires the Governor to create a Homeless Coordinating and Financing Council to identify mainstream resources, benefits, and services that can be accessed to prevent and end homelessness in California and to make policy and procedural recommendations to legislators and other governmental entities, among other duties. Existing law requires agencies and departments administering state programs to incorporate core components of Housing First, which is defined to mean the evidence-based model that uses housing as a tool, rather than a reward, for recovery and that centers on providing or connecting homeless people to permanent housing as quickly as possible. Existing law defines the "core components of Housing First" to mean, among other things, (a) tenant screening and selection practices that promote accepting applicants regardless of their sobriety or use of substances, completion of treatment, or participation in services and (b) that the program includes relapse support that does not automatically evict or discharge a program participant from the program for a temporary lapse.

This bill would permit recovery housing, as defined, that does not satisfy the criteria described above for purposes of the definition of core components of Housing First to come within that definition if it complies with certain other criteria, including that participation in recovery housing is voluntary and relapse is not treated as an automatic cause for eviction from housing or termination from the program.

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

