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## 2019 DCF Policy Proposal Outline

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**Agency:** Dept. of Children and Families

**Title:** Revisions/Updates to Homeless Program Statutes

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### **Executive Summary:**

The Office on Homelessness within the Department of Children and Families staffs the Council on Homelessness. The 17-member interagency Council is a statutorily mandated organization providing support to the Office on Homelessness and policy recommendations related to homelessness in Florida. The Council is submitting its recommendations for revisions and updates to Homeless program statutes to the Department of Children and Families. Florida Statutes governing the State Office on Homelessness and the programs administered under the Office's purview have become antiquated and out of date with Federal law governing homelessness grant funding programs that provide the majority of funding for Florida's programs that seek to prevent and end homelessness. The attached statutory revisions conform State law to current Federal law and grant program definitions and clarifies statutory responsibilities for local homeless Continuum of Care lead agencies, while preserving financial and programmatic accountability provisions in State law for programs administered by the State Office on Homelessness.

### **Date Effective:**

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## Policy Analysis

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**Current Situation:** Florida's current statutes governing Homelessness Programs administered by the State Office on Homelessness are no longer in alignment with Federal law and Federal grant programs that provide the overwhelming majority of funding used by the State Office on Homelessness and its service provider agencies to prevent homelessness. The proposed changes align State law with Federal law and Federal grant requirements, update definitions, and preserve the State Office on Homelessness's authority to effectively and efficiently administer programs and funds received to prevent homelessness.

**Proposed Changes:** See attached statutory revisions contained on the DCF template. These changes conform State law to Federal law and Federal grant programs that provide the majority of Florida's funding to prevent homelessness.

The provision seeks to update the current homeless program statute to make it conform to Federal law and the Federal grant funding requirements for programs that seek to prevent and end homelessness. Further, the provision seeks to reflect current best practices of the

State Office on Homelessness and Local Homeless Continuum of Care lead agencies to ensure homeless grants are most efficiently and effectively utilized to prevent and end homelessness.

*The provision amends 420.621* to update the definitions for “Continuum of Care,” “Continuum of Care lead agency,” “Continuum of Care collaborative applicant,” and “Homeless” to conform to Federal law and the Federal grant funding requirements for programs that seek to prevent and end homelessness.

*The provision amends 420.622:*

The Council on Homelessness is to add two new representatives to serve on the Council. The statute would then read, “The Council on Homelessness is created to consist of 19 representatives.” The members that are newly included will be “one representative from the Florida Housing Coalition,” and “the Secretary of the Department of Elder Affairs or his or her designee.”

The Council on Homelessness statute is amended to encourage representatives of the Council to have had experience in the provision of services to persons experiencing homelessness.

The HEARTH Act of 2009 is added to update the outdated Stewart B McKinney Homeless Assistance Act of 1987 statute, which was amended in 2009 in Federal law.

“Local homeless coalitions” is replaced with “local Continuum of Care” throughout the section to update current terminology.

The matching funds or in-kind support a Continuum of Care lead agency must provide for the Challenge Grant is updated to 25%. Not all CoCs are created equal, many simply do not have the ability to leverage 100% of the grant award in local government or private funds. The 25% match is consistent for these services and types of grants, which are designed to provide flexible funding to end homelessness.

The maximum amount a Continuum of Care lead agency may spend on administrative costs is updated to 10%. The 10% maximum for administrative costs is consistent to administrative costs for similar grants in the State.

Requires the State Office on Homelessness to develop criteria to competitively rank grant applicants for homeless housing assistance grants.

Clarifies to whom the State Office on Homelessness may administer moneys in accordance with entities funded during the State fiscal year 2017-18.

**420.623** “Local coalitions for the homeless” is deleted and **420.624** “Local Homeless Continuum of Care” is amended. This is necessary as the term “local coalitions for the homeless” is outdated – the State Office on the Homelessness contracts with the designated local homeless Continuum of Care lead agencies. Further, the roles and duties

of the Continuums of Care are updated to reflect current requirements of them by HUD and the State Office on Homelessness.

**420.625** The Grant-in-aid program section is amended to ensure efficiency and to reflect current best practices by the State Office on Homelessness and the Local Homeless Continuum of Care lead agencies.

**420.6265** The Rapid ReHousing statute is amended to ensure efficiency and to reflect current best practices by the State Office on Homelessness and the Local Homeless Continuum of Care lead agencies.

**420.6275** The Housing First statute is amended to ensure efficiency and to reflect current best practices by the State Office on Homelessness and the Local Homeless Continuum of Care lead agencies.

The provision has no fiscal impact

The provision sets an effective date for July 1, 2019.

**Justification:** Overall, State definitions are out of date with Federal law (the Federal HEARTH Act of 2009) and references to the State Office on Homelessness service provider requirements are also inconsistent and out of date with Federal law. The proposed changes will simplify the administration of Federally funded homelessness programs and provide critical consistency between State and Federal requirements and definitions.

**Statutory Citations:** 420.621 – 420.626, F.S.

**Bill Analysis:**

**1(a). Please describe how this proposal might advance the Governor’s agenda or philosophy, the agency’s goals, core organizational competencies or good government:**

This proposal advances the Governor’s agenda by streamlining State law to conform to Federal law and Federal grant funding, eliminating redundancy and inconsistency between State and Federal requirements which unnecessarily result in the inefficient administration of program services. The proposed revisions also ensure continued program and financial accountability measures remain in place and that State Office on Homelessness retains its ability to manage contracts for services effectively and efficiently.

**1(b). Has the Legislature considered this proposal in the past?**

No. This proposal updates existing statutory language and definitions to conform to Federal law and Federal grant funding requirements.

**(If so, include:**

- 1. Governor's Recommendation**
- 2. Past Bill Numbers and how they ended up in the process**
- 3. How this proposal is different, if at all, from previous proposals**

**1(c). Does this proposal represent:**

- (a) a policy change or**
- (b) a technical/non-controversial revision without a fiscal impact**

This proposal represents a technical/non-controversial revision that has no fiscal impact that will increase State agency costs or require additional appropriations.

**(If (b), then simply attached copy of proposed bill language. This summary sheet is complete. Continue on if (a).)**

**2. Would other agencies be significantly impacted by this proposal? If so, have they been consulted?**

The Department of Elder Affairs and the Florida Housing Finance Corporation. Both agencies/corporations have been consulted extensively through the Council on Homelessness revision process.

**3. Who is impacted by this bill?**

The Homelessness Continuum of Care lead agencies and their network of homelessness providers.

**4. What is the specific impact to individual citizens?**

**5. What is the specific impact to businesses?**

**6. What is the specific impact to state or local governments?**

**7. What is the position of the affected citizens, business, agencies or groups?**

**8. Does the bill provide more freedom and less government?**

**9. Opposition Summary:**

**10. Is there a commission, council, task force or board that is created, revised or terminated?**

Name: *Council on Homelessness*

Purpose: *Address issues and policy related to homelessness pursuant to 420.622*

Number of Members and who appoints them: *13 Agencies/Organizations by statute; 4 Gubernatorial appointees.*

Termination Date:

Description:

The provision amends 420.622:

“Council on Homelessness” to add two representatives to serve on the Council. The 18<sup>th</sup> member is “one representative from the Florida Housing Coalition” and the 19<sup>th</sup> member is “The Secretary of the Department of Elder Affairs or his or her designee”.

The Council on Homelessness statute is amended to encourage representatives of the Council to have had experience in the provision of services to persons experiencing homelessness.

**11. Are there reports and studies required?**

Description:

Date Due:

Bill Section Numbers:

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**Fiscal Analysis**

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**1. Does the bill contain a State Government appropriation?**

If so, is it included in the agency’s LBR?

- a. Describe:
- b. What is the state revenue impact? (first year/annualized)
- c. What is the state expenditure impact? (first year/annualized)
- d. How many FTEs will be needed to implement legislation?
- e. What are the service program costs?

**2. Does the bill contain Local Government revenue or expenditures?**

- a. What is the local revenue impact (first year/annualized)
- b. What is the local expenditure impact? (first year/annualized)

**3. Does the bill contain private sector fiscal impact?**

**a. Does the bill increase or decrease taxes?**

**b. Does the bill increase or decrease fees?**

**c. Does the bill increase or decrease fines?**

**d. What are the impacts of any of these increases or decreases?**