

File No. 210151

Committee Item No. _____

Board Item No. 39

COMMITTEE/BOARD OF SUPERVISORS

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Date: _____

Board of Supervisors Meeting

Date: February 23, 2021

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Prepared by: Jocelyn Wong

Date: February 19, 2021

Prepared by: _____

Date: _____

1 [Supporting California State Assembly Bill No. 71 (Rivas) - Bring California Home Act]

2

3 **Resolution supporting California State Assembly Bill No. 71, Bring California Home**
4 **Act, authored by Assembly Member Luz Rivas and co-authored by Assembly Members**
5 **Richard Bloom, David Chiu, and Buffy Wicks.**

6

7 WHEREAS, There has been a 17% increase in the homeless population since 2018
8 and in January 2019, 151,278 people were estimated to experience homelessness in
9 California and this is the highest since 2007;

10 WHEREAS, Homelessness is predicted to increase significantly due to the COVID-19
11 economic downfall; and

12 WHEREAS, Black, Indigenous, and Latinx communities are disproportionately affected
13 by homelessness; and

14 WHEREAS, While 6.5% of California identify as Black, almost 40% of the state's
15 homeless population is Black; and

16 WEHREAS, The Indigenous community are six times more likely to experience
17 homelessness than the general population; and

18 WHEREAS, The Latinx community is the least likely to access housing and services;
19 and

20 WHEREAS, Domestic violence is a primary cause of homelessness for women and
21 homeless women are more likely to experience domestic violence, sexual assault, and
22 exploitation; and

23 WHEREAS, Assembly Bill No. 71 (AB 71), also known as the "Bring California Home
24 Act," authored by Assembly Member Luz Rivas and co-authored by Assembly Members

25

1 Richard Bloom, David Chiu, and Buffy Wicks, would raise tax rates on businesses with annual
2 profits of more than \$5 million; and

3 WHEREAS, AB 71 would raise up to \$2.4 billion annually for homeless programs and
4 help support nonprofit organizations and create more affordable housing; and

5 WHEREAS, California would use that money to prevent families from falling into
6 homelessness, expand emergency shelters, create more affordable housing and fund
7 services including employment support for unhoused people; and

8 WHEREAS, AB 71 would increase corporate tax rates for large businesses from 8.84%
9 to 9.6% - bringing them back to where they were in 1980; and

10 WHEREAS, For financial institutions, tax rates would increase from 10.84% to 11.6%
11 and it also would increase taxes on profits companies earn overseas, which were reduced by
12 the last Administration's 2017 tax cuts; and

13 WHEREAS, The changes would impact all large corporations that do business in
14 California - not just those headquartered here; and

15 WHEREAS, Statewide, the money from AB 71 would help an estimated 28,000 people
16 on the brink of homelessness stay housed, 25,000 unhoused people and families access safe
17 emergency shelter and 43,000 people move into permanent housing and it could help another
18 50,000 homeless people reach job training and other services; and

19 WHEREAS, Every city and county that receives money under the bill must report on
20 exactly how the funds are used, how many people they serve, and how they are reducing
21 homelessness, and the state will conduct regular audits and local governments will be
22 evaluated on their progress; now, therefore, be it

23 RESOLVED, That the San Francisco Board of Supervisors hereby supports California
24 State Assembly Bill No. 71, the Bring California Home Act; and, be it

25

1 FURTHER RESOLVED, That the Board of Supervisors hereby directs the Clerk of the
2 Board to transmit a copy of this Resolution to the California State Assembly and the California
3 State Senate as well as the Bill’s primary sponsor, Assembly Member Luz.

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AMENDED IN ASSEMBLY JANUARY 12, 2021

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

ASSEMBLY BILL

No. 71

**Introduced by Assembly Members ~~Luz Rivas and Chiu~~ Luz Rivas,
Bloom, Chiu, and Wicks
(Coauthor: Assembly Member Quirk-Silva)**

December 7, 2020

An act to amend Section 23151 of, and to add Sections 17087.7 and 25110.1 to, the Revenue and Taxation Code, and to amend Sections 8255 and 8257 of, to add Sections 8257.1, 8257.2, 8258, and 14133.5 to, and to add Chapter 5.2 (commencing with Section 13050) to Part 3 of Division 9 of, the Welfare and Institutions Code, relating to ~~homelessness~~: homelessness, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 71, as amended, Luz Rivas. ~~Statewide homelessness solutions program~~. *Homelessness funding: Bring California Home Act.*

(1) The Personal Income Tax Law, in conformity with federal income tax law, generally defines gross income as income from whatever source derived, except as specifically excluded, and provides various exclusions from gross income. Existing federal law, for purposes of determining a taxpayer's gross income for federal income taxation, requires that a person who is a United States shareholder of any controlled foreign corporation to include in their gross income the global low-taxed income for that taxable year, as provided.

This bill, for taxable years beginning on or after January 1, 2022, would include a taxpayer's global low-taxed income in their gross income for purposes of the Personal Income Tax Law, in modified conformity with the above-described federal provisions. The bill would

exempt any standard, criterion, procedure, determination, rule, notice, or guideline established or issued by the Franchise Tax Board to implement its provisions from the rulemaking provisions of the Administrative Procedure Act.

The Corporation Tax Law imposes, among other taxes, taxes according to or measured by the net income of the taxpayer for the taxable year at a rate of 8.84%, or 10.84% for financial institutions, but not less than the minimum franchise tax of \$800, as specified.

This bill, for taxable years beginning on or after January 1, 2022, and with respect to taxpayers with taxable income under the Corporation Tax Law greater than \$5,000,000 for the taxable year, would increase these tax rates from 8.84% to 9.6%, or 10.84% to 11.6% for financial institutions, unless the minimum franchise tax is greater.

The Corporation Tax Law, when the income of a taxpayer subject to tax under that law is derived from or attributable to sources both within and without the state, generally requires that the tax be measured by the net income derived from or attributable to sources within this state, as provided. Notwithstanding this requirement, the Corporation Tax Law authorizes a qualified taxpayer, as defined, to elect to determine its income derived from or attributable to sources within this state pursuant to a water's-edge election, as provided. Existing law requires that a water's-edge election be made by contract with the Franchise Tax Board, with an initial term of 84 months, except as specified, and provides for annual renewal of that contract unless the taxpayer provides written notice of nonrenewal at least 90 days before the renewal date.

This bill would require that a taxpayer that makes a water's-edge election under these provisions take into account 50% of the global low-taxed income and 40% of the repatriation income of its affiliated corporations, as those terms are defined. The bill would allow a taxpayer, for calendar year 2022 only, the opportunity to revoke a water's-edge election. The bill would prohibit the total of all business credits, as defined, from reducing the additional tax liability added by this bill's provisions by more than \$5,000,000, as provided. The bill would exempt any standard, criterion, procedure, determination, rule, notice, or guideline established or issued by the Franchise Tax Board to implement its provisions from the rulemaking provisions of the Administrative Procedure Act.

This bill would state the intent of the Legislature that any revenue resulting from the above-described changes to the Personal Income

Tax Law and the Corporation Tax Law be used for purposes of the Bring California Home Act, as described below.

~~Existing~~

~~(2) Existing law requires the Governor to create the Homeless Coordinating and Financing Council (referred to as “the coordinating council”) and to appoint up to 19 members of that council, as provided. (council). Existing law specifies the duties of the coordinating council, including creating partnerships among state agencies and departments, local government agencies, and specified federal agencies and private entities, for the purpose of arriving at specific strategies to end homelessness. The Personal Income Tax Law and the Corporation Tax Law impose taxes upon taxable income for the taxable year, as specified. Existing law requires the Governor to appoint up to 19 members of the council, including representatives from specified state agencies and departments, and a formerly homeless person and a formerly homeless youth who both live in California, and requires the Senate Committee on Rules and the Speaker of the Assembly to each appoint one member to the council from 2 different stakeholder organizations.~~

~~This bill would state the intent of the Legislature to enact legislation to create a comprehensive, statewide homelessness solutions program. This bill would create the Bring California Home Fund in the State Treasury for the purpose of providing at least \$2,400,000 annually to fund a comprehensive, statewide homeless solutions program upon appropriation by the Legislature. The bill would require the Bring California Home Fund to contain revenues derived from specified changes to the Personal Income Tax Law or the Corporation Tax Law that are enacted on or after the effective of the date of this bill.~~

~~This bill would delete the provisions relating to the appointment authority of the Governor and the Legislature, and would instead restructure the council, including requiring the council to be composed of prescribed individuals, including the directors of specified state agencies and departments, such as the State Department of Public Health. The bill would require the council to seek guidance from, and meet with, an advisory committee composed of specified individuals, including a survivor of gender-based violence who formerly experienced homelessness and a formerly homeless person who lives in California.~~

~~This bill would require the council, its technical services provider, or an entity with which the council contracts to identify, analyze, and collect various data in regards to homelessness in this state, including identifying state programs that provide housing or housing-based~~

services to persons experiencing homelessness, as provided. The bill would require the council to report on this information to specified committees of the Legislature by July 31, 2022. The bill would require the council to seek technical assistance offered by the United States Department of Housing and Urban Development, if available, for purposes of conducting this statewide needs and gaps analysis. The bill would require a state department or agency with a member on the council to assist in data collection for the analysis by responding to data requests within 180 days, as specified.

The bill would require the council to convene a funder’s workgroup, composed of specified individuals, including staff of the council and staff working for agencies or departments represented on the council, to accomplish prescribed goals, and would authorize that workgroup to invite philanthropic organizations focused on ending homelessness, reducing health disparities, ending domestic violence, or ensuring Californians do not exit foster care or incarceration to homelessness to participate in specific meetings. The bill would require the workgroup to perform specified duties, including collaborating with state agency staff to develop a universal application for developers, service providers, and other entities to apply to agencies and departments represented on the council for funding for homeless services and housing, and to coordinate state agencies and departments to reduce the risk of long-term homelessness by developing specific protocols and procedures that accomplish prescribed goals, such as assisting individuals reentering communities from jails and prisons with housing navigation, housing acquisition support, and obtaining permanent housing.

Existing law requires agencies and departments administering state programs to collaborate with the council to adopt guidelines to revise or adopt guidelines and regulations to incorporate core components of Housing First, as provided. Existing law defines “state programs” for these purposes to mean 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, but excludes federally funded programs with inconsistent requirements or programs that fund emergency shelters.

This bill would delete the exclusion for programs that fund emergency shelters from this definition of “state programs,” thereby expanding the scope of programs required to incorporate core components of Housing First, as described above.

(3) Existing law establishes, among various other programs intended to address homelessness in this state, the Homeless Housing, Assistance, and Prevention program 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. Existing law provides for the allocation of funding under the program among continuums of care, cities, and counties in 2 rounds, the first of which is administered by the Business, Consumer Services, and Housing Agency and the second of which is administered by the coordinating council.

This bill would enact the Bring California Home Act, which would establish the Bring California Home Fund in the State Treasury and continuously appropriate moneys in that fund for the purpose of implementing that act. The bill would require the Controller to annually transfer specified amounts, determined as provided by the Franchise Tax Board based on the above-described changes made by this bill to the Personal Income Tax Law and the Corporation Tax Law, to the Bring California Home Fund. The bill would require the council and the Department of Housing and Community Development (HCD) to jointly administer the fund pursuant to a memorandum of understanding, as provided. The bill would require that recipients and subrecipients under the program ensure that any expenditure of moneys allocated to them serve the eligible population, unless otherwise expressly provided in the bill. The bill would define various terms for these purposes.

The bill would require the council to administer allocations to counties and continuums of care that apply jointly and to large cities, and would require HCD to administer allocations to developers, as provided. The bill would require HCD to allocate \$400,000,000 to developers and require the council to set aside \$200,000,000 for bonus awards, as provided. Of the remaining amount in the fund, the bill would require the council to allocate 60% to counties and continuums of care applying jointly and 40% to large cities, in accordance with a specified formula and subject to certain requirements. The bill would establish eligibility criteria for a county and continuum of care or a large city to receive an allocation under these provisions and specify the eligible uses for those moneys. The bill would exempt specified activities by a large city under the program relating to the development of a low barrier interim

intervention, affordable housing project, or supportive housing project from the California Environmental Quality Act. The bill, upon the request of a jointly applying county and continuum of care, would require the State Department of Social Services to act as a fiscal agent for the county and continuum of care, as provided. The bill would require HCD to allocate moneys to developers in the same manner as deferred payment loans provided under the Multifamily Housing Program, subject to certain requirements, including a requirement that HCD ensure that at least 25% of the moneys allocated under these provisions be awarded to projects located in unincorporated areas and cities that are not large cities. The bill would require that any project that uses funds received under the program for the purposes specified in connection with the allocations made by HCD be allowed as a permitted use, within the zone in which the structure is located, and not be subject to a conditional use permit, discretionary permit, or any other discretionary review or approval.

The bill would require the council and HCD to allocate available funding in 2-year cycles, with the first round allocated no later than March 31, 2023, and to develop a simple application that an eligible entity may use to apply for funding, as well as common standards for recipients to monitor, report, and ensure accountability, provide services, and subsidize housing. The bill would require the council and each recipient to establish performance outcomes for the initial cycle and to establish outcome goals before each subsequent grant cycle, as provided, and require the council to award bonus funding to a recipient, if the recipient has achieved those performance outcomes, or reduce or deny that bonus funding if the recipient has not achieved those performance outcomes.

The bill, except as otherwise provided, would require each recipient to contractually obligate 100% of the amount allocated to it within 3 years, for the first grant cycle, or 1 year, for each subsequent cycle, and to expend the entirety of that amount within 4 years, for the first grant cycle, or 2 years, for each subsequent cycle. If a county and continuum of care or a large city fails to comply with these deadlines, uses moneys allocated to it for an unauthorized purpose, or fails to apply for an allocation within the initial award cycle, the bill would require the council to either select an alternative entity to administer the recipient's allocation in accordance with specified requirements or solely establish performance outcomes and program priorities for that recipient jurisdiction and work with local, regional, or statewide entities

to administer the allocation on behalf of the recipient. If a developer fails to comply with these deadlines, the bill would require that the moneys awarded to that recipient revert to the fund.

The bill would require each recipient to annually report to the council and HCD specified information relating to allocations made under these provisions. The bill would require the council to conduct regular monitoring and audits of the activities and outcomes of recipients that are joint county-continuum of care applicants or large cities. No later than January 1, 2024, and every 5th January 1 thereafter, the bill would require the council to evaluate the outcomes of this program and submit a report, containing specified information, to specified committees of the Legislature. The bill would require the council and HCD to each establish an advisory committee to inform state and local policies, practices, and programs with respect to the experiences of specified demographic groups experiencing homelessness.

(4) Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services pursuant to a schedule of benefits. The Medi-Cal program is, in part, governed and funded by federal Medicaid program provisions.

By January 1, 2025, this bill would require the department to seek federal approval for a Medi-Cal benefit to fund prescribed services, including housing navigation and housing acquisition support services, for beneficiaries experiencing homelessness, to convene a stakeholder advisory group representing counties, health care consumers, and homeless advocates in developing this plan, to work with counties to determine an effective process for funding the state’s share of the federal medical assistance percentage, and to pursue philanthropic funding to carry out the administrative duties related to these provisions. The bill would authorize the department to use up to 20% of the county-continuum allocation from the Bring California Home Fund, as described above, to pay for the state’s federal medical assistance percentage associated with this benefit.

Vote: ~~majority~~^{2/3}. Appropriation: ~~no~~^{yes}. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 17087.7 is added to the Revenue and
- 2 Taxation Code, to read:

1 17087.7. (a) For taxable years beginning on or after January
2 1, 2022, Section 951A of the Internal Revenue Code, relating to
3 Global intangible low-taxed income, as enacted by the federal Tax
4 Cuts and Jobs Act of 2017 (Public Law 115–97), shall apply, except
5 as otherwise provided.

6 (b) Section 951A of the Internal Revenue Code, relating to
7 Global intangible low-taxed income, is modified as follows:

8 (1) If a taxpayer that is not a C corporation has income under
9 Section 951A of the Internal Revenue Code, which is formally
10 derived from a corporation that is part of a combined reporting
11 group doing business in this state and has made a water’s-edge
12 election under Section 25110, 50 percent of that income shall be
13 apportioned to this state using the same apportionment factor as
14 is used for the combined reporting group.

15 (2) Section 951A of the Internal Revenue Code shall not apply
16 if either of the following applies:

17 (A) The taxpayer is not a C corporation and the income under
18 Section 951A of the Internal Revenue Code is formally derived
19 from a corporation that is part of a combined reporting group
20 doing business in this state that does not make a water’s-edge
21 election under Section 25110.

22 (B) The taxpayer is not a C corporation and the income under
23 Section 951A of the Internal Revenue Code is formally derived
24 from a corporation that is not part of a combined reporting group
25 doing business in this state.

26 (c) If a taxpayer has income under Section 951A of the Internal
27 Revenue Code, relating to Global intangible low-taxed income,
28 included in its gross income pursuant to this section, the taxpayer
29 may submit a petition to the Franchise Tax Board for alternative
30 apportionment pursuant to Section 25137.

31 (d) Any standard, criterion, procedure, determination, rule,
32 notice, or guideline established or issued by the Franchise Tax
33 Board to implement this section is hereby exempted from the
34 rulemaking provisions of the Administrative Procedure Act
35 (Chapter 3.5 (commencing with Section 11340) of Part 1 of
36 Division 3 of Title 2 of the Government Code).

37 (e) The provisions of this section are severable. If any provision
38 of this section or its application is held invalid, that invalidity shall
39 not affect other provisions or applications that can be given effect
40 without the invalid provision or application.

1 (f) It is the intent of the Legislature that the revenue, if any,
2 resulting from application of this section in any taxable year
3 beginning on or after January 1, 2022, be used for purposes of the
4 Bring California Home Act (Chapter 5.2 (commencing with Section
5 13050) of Part 3 of Division 9 of the Welfare and Institutions
6 Code).

7 SEC. 2. Section 23151 of the Revenue and Taxation Code is
8 amended to read:

9 23151. (a) With the exception of banks and financial
10 corporations, every corporation doing business within the limits
11 of this state and not expressly exempted from taxation by the
12 provisions of the Constitution of this state or by this part, shall
13 annually pay to the state, for the privilege of exercising its
14 corporate franchises within this state, a tax according to or
15 measured by its net income, to be computed at the rate of 7.6
16 percent upon the basis of its net income for the next preceding
17 income year, or if greater, the minimum tax specified in Section
18 23153.

19 (b) For calendar or fiscal years ending after June 30, 1973, the
20 rate of tax shall be 9 percent instead of 7.6 percent as provided by
21 subdivision (a).

22 (c) For calendar or fiscal years ending in 1980 to 1986, inclusive,
23 the rate of tax shall be 9.6 percent.

24 (d) For calendar or fiscal years ending in 1987 to 1996,
25 inclusive, and for any income year beginning before January 1,
26 1997, the tax rate shall be 9.3 percent.

27 (e) For any income year beginning on or after January 1, 1997,
28 and before the income year identified in subparagraph (A) of
29 paragraph (1) of subdivision (f), the tax rate shall be 8.84 percent.
30 The change in rate provided in this subdivision shall be made
31 without proration otherwise required by Section 24251.

32 (f) (1) For the first taxable year beginning on or after January
33 1, 2000, the tax imposed under this section shall be the sum of
34 both of the following:

35 (A) A tax according to or measured by net income, to be
36 computed at the rate of 8.84 percent upon the basis of the net
37 income for the next preceding income year, but not less than the
38 minimum tax specified in Section 23153.

39 (B) A tax according to or measured by net income, to be
40 computed at the rate of 8.84 percent upon the basis of the net

1 income for the first taxable year beginning on or after January 1,
2 2000, but not less than the minimum tax specified in Section 23153.

3 (2) Except as provided in paragraph (1), for taxable years
4 beginning on or after January 1, 2000, *and before January 1, 2022*,
5 the tax imposed under this section shall be a tax according to or
6 measured by net income, to be computed at the rate of 8.84 percent
7 upon the basis of the net income for that taxable year, but not less
8 than the minimum tax specified in Section 23153.

9 (g) (1) *For taxable years beginning on or after January 1, 2022,*
10 *the tax imposed under this section shall be a tax according to or*
11 *measured by net income, to be computed at the following rate, as*
12 *applicable, upon the basis of the net income for that taxable year,*
13 *or if greater, the minimum tax specified in Section 23153:*

14 (A) *If the taxpayer has taxable income greater than five million*
15 *dollars (\$5,000,000) for the taxable year, 9.6 percent.*

16 (B) *If the taxpayer has taxable income less than or equal to five*
17 *million dollars (\$5,000,000) for the taxable year, 8.84 percent.*

18 (2) *It is the intent of the Legislature that the revenue, if any,*
19 *resulting from application of this subdivision in any taxable year*
20 *beginning on or after January 1, 2022, be used for purposes of the*
21 *Bring California Home Act (Chapter 5.2 (commencing with Section*
22 *13050) of Part 3 of Division 9 of the Welfare and Institutions*
23 *Code).*

24 SEC. 3. *Section 25110.1 is added to the Revenue and Taxation*
25 *Code, to read:*

26 25110.1. (a) *A taxpayer that makes a water's-edge election*
27 *shall take into account 50 percent of the global intangible*
28 *low-taxed income, but not the apportionment factors, of its*
29 *affiliated corporations.*

30 (b) *A taxpayer that makes a water's-edge election shall take*
31 *into account 40 percent of the repatriation income, but not the*
32 *apportionment factors, of its affiliated corporations.*

33 (c) *Any taxpayer that includes repatriation income may choose*
34 *to apportion 14 percent of that income to California or use the*
35 *apportionment factor otherwise calculated for the combined group*
36 *for that taxable year.*

37 (d) *For purposes of calculating dividends to be eliminated from*
38 *the income of the recipient under Section 25106 or any other law,*
39 *global intangible low-taxed income included by reason of*
40 *subdivision (a) shall be treated in the same manner as income*

1 *included by reason of clause (ii) of subparagraph (A) of paragraph*
2 *(2) of subdivision (a) of Section 25110.*

3 *(e) Any taxpayer that includes repatriated income under*
4 *subdivision (b) shall be entitled to a credit for any taxes already*
5 *paid on the repatriated income by reason of Section 24411 or any*
6 *other law. The credit allowed by this subdivision shall be*
7 *calculated by multiplying the final tax liability of the taxpayer for*
8 *the taxable year in which tax was paid on repatriation income by*
9 *a fraction not to exceed one, the numerator of which is the*
10 *repatriation income of that corporation for that taxable year and*
11 *the denominator of which is the total taxable income of that*
12 *corporation for that taxable year.*

13 *(f) Notwithstanding Section 25111, any taxpayer that has made*
14 *a water's-edge election under Section 25110 shall be permitted,*
15 *for calendar year 2022 only, an opportunity to revoke this election.*

16 *(g) (1) Notwithstanding any provision of this part or Part 10.2*
17 *(commencing with Section 18401) to the contrary, for taxpayers*
18 *not required to be included in a combined report under Section*
19 *25101 or 25110, or taxpayers not authorized to be included in a*
20 *combined report under Section 25101.15, the total of all business*
21 *credits otherwise allowable, under any provision of Chapter 2*
22 *(commencing with Section 17041) of Part 10, including the*
23 *carryover of any business credit under a former provision of that*
24 *chapter, but not including the credit permitted by subdivision (e),*
25 *for the taxable year shall not reduce the additional tax liability*
26 *added by subdivision (a), (b), or (c) by more than five million*
27 *dollars (\$5,000,000).*

28 *(2) Notwithstanding any provision of this part or Part 10.2*
29 *(commencing with Section 18401) to the contrary, for taxpayers*
30 *required to be included in a combined report under Section 25101*
31 *or 25110, or taxpayers authorized to be included in a combined*
32 *report under Section 25101.15, the total of all business credits*
33 *otherwise allowable under any provision of Chapter 2*
34 *(commencing with Section 17041) of Part 10, including the*
35 *carryover of any business credit under a former provision of that*
36 *chapter, but not including the credit permitted by subdivision (e),*
37 *by all members of the combined report shall not reduce the*
38 *aggregate amount of the additional tax liability of all members of*
39 *the combined report added by subdivision (a), (b) or (c) by more*
40 *than five million dollars (\$5,000,000).*

1 (3) Any amounts included in an election pursuant to Section
2 6902.5, relating to an irrevocable election to apply credit amounts
3 under Section 17053.85, 17053.95, 17053.98, 23685, 23695, or
4 23698 against qualified sales and use tax, as defined in Section
5 6902.5, shall not be included in the five million dollar (\$5,000,000)
6 limitation set forth in paragraphs (1) and (2).

7 (4) Notwithstanding any provision of this part or Part 10.2
8 (commencing with Section 18401), the credit amount described in
9 paragraph (3) shall be applied after any business credits, subject
10 to the limitations specified in paragraph (1) or (2), as applicable,
11 are applied.

12 (h) Any standard, criterion, procedure, determination, rule,
13 notice, or guideline established or issued by the Franchise Tax
14 Board to implement this section is hereby exempted from the
15 rulemaking provisions of the Administrative Procedure Act
16 (Chapter 3.5 (commencing with Section 11340) of Part 1 of
17 Division 3 of Title 2 of the Government Code).

18 (i) For purposes of this section, all of the following apply.

19 (1) "Affiliated corporation" means a corporation that is a
20 member of a commonly controlled group, as defined in Section
21 25105.

22 (2) "Business credit" means a credit allowable under any
23 provision of Chapter 2 (commencing with Section 17041) of Part
24 10, other than the following credits:

25 (A) The credit allowed by Section 17052, relating to credit for
26 earned income.

27 (B) The credit allowed by Section 17052.1, relating to credit
28 for a young child.

29 (C) The credit allowed by Section 17052.6, relating to credit
30 for household and dependent care.

31 (D) The credit allowed by Section 17052.25, relating to credit
32 for adoption costs.

33 (E) The credit allowed by Section 17053.5, relating to renter's
34 tax credit.

35 (F) The credit allowed by Section 17054, relating to credit for
36 personal exemption.

37 (G) The credit allowed by Section 17054.5, relating to credit
38 for qualified joint custody head of household and a qualified
39 taxpayer with a dependent parent.

1 (H) *The credit allowed by Section 17054.7, relating to credit*
2 *for qualified senior head of household.*

3 (I) *The credit allowed by Section 17058, relating to credit for*
4 *low-income housing.*

5 (J) *The credit allowed by Section 17061, relating to refunds*
6 *pursuant to the Unemployment Insurance Code.*

7 (3) *“Global intangible low-taxed income” has the same meaning*
8 *as defined by Section 951A of the Internal Revenue Code, as*
9 *enacted by the Tax Cuts and Jobs Act (Public Law 115-97), relating*
10 *to global intangible low-taxed income, but not taking into account*
11 *any subtractions made pursuant to Section 1.951A-2(c)(7) of Title*
12 *26 of the Code of Federal Regulations.*

13 (4) *“Repatriation income” means income that was deemed*
14 *repatriated under Section 965(a) of the Internal Revenue Code,*
15 *as amended by the Tax Cuts and Jobs Act (Public Law 115-97),*
16 *relating to treatment of deferred foreign income as subpart F*
17 *income, as included in a taxpayer’s federal return by operation*
18 *of the payment schedule of Section 965(h) of the Internal Revenue*
19 *Code, as amended by the Tax Cuts and Jobs Act (Public Law*
20 *115-97), relating to election to pay liability in installments.*

21 (j) *The provisions of this section are severable. If any provision*
22 *of this section or its application is held invalid, that invalidity shall*
23 *not affect other provisions or applications that can be given effect*
24 *without the invalid provision or application.*

25 (k) *It is the intent of the Legislature that the revenue, if any,*
26 *resulting from application of this section in any taxable year*
27 *beginning on or after January 1, 2022, be used for purposes of the*
28 *Bring California Home Act (Chapter 5.2 (commencing with Section*
29 *13050) of Part 3 of Division 9 of the Welfare and Institutions*
30 *Code).*

31 *SEC. 4. Section 8255 of the Welfare and Institutions Code is*
32 *amended to read:*

33 8255. For purposes of this chapter:

34 (a) *“Coordinating council” means the Homeless Coordinating*
35 *and Financing Council established pursuant to Section 8257.*

36 (b) *“Core components of Housing First” means all of the*
37 *following:*

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

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

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

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

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

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

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

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

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

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

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

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

3 (d) (1) “Housing First” means the evidence-based model that
4 uses housing as a tool, rather than a reward, for recovery and that
5 centers on providing or connecting homeless people to permanent
6 housing as quickly as possible. Housing First providers offer
7 services as needed and requested on a voluntary basis and that do
8 not make housing contingent on participation in services.

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

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

24 (e) “State programs” means any programs a California state
25 agency or department funds, implements, or administers for the
26 purpose of providing housing or housing-based services to people
27 experiencing homelessness or at risk of homelessness, with the
28 exception of federally funded programs with requirements
29 inconsistent with this ~~chapter or programs that fund emergency~~
30 ~~shelters.~~ *chapter.*

31 (f) “*State-funded institutional setting*” includes, but is not
32 limited to, a justice, juvenile justice, child welfare, and health care
33 setting.

34 *SEC. 5. Section 8257 of the Welfare and Institutions Code is*
35 *amended to read:*

36 8257. (a) The Governor shall create a Homeless Coordinating
37 and Financing Council.

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

39 (1) To oversee implementation of this chapter.

- 1 (2) To identify mainstream resources, benefits, and services that
- 2 can be accessed to prevent and end homelessness in California.
- 3 (3) To create partnerships among state agencies and departments,
- 4 local government agencies, participants in the United States
- 5 Department of Housing and Urban Development’s Continuum of
- 6 Care Program, federal agencies, the United States Interagency
- 7 Council on Homelessness, nonprofit entities working to end
- 8 homelessness, homeless services providers, and the private sector,
- 9 for the purpose of arriving at specific strategies to end
- 10 homelessness.
- 11 (4) To promote systems integration to increase efficiency and
- 12 effectiveness while focusing on designing systems to address the
- 13 needs of people experiencing homelessness, including
- 14 unaccompanied youth under 25 years of age.
- 15 (5) To coordinate existing funding and applications for
- 16 competitive funding. Any action taken pursuant to this paragraph
- 17 shall not restructure or change any existing allocations or allocation
- 18 formulas.
- 19 (6) To make policy and procedural recommendations to
- 20 legislators and other governmental entities.
- 21 (7) To identify and seek funding opportunities for state entities
- 22 that have programs to end homelessness, including, but not limited
- 23 to, federal and philanthropic funding opportunities, and to facilitate
- 24 and coordinate those state entities’ efforts to obtain that funding.
- 25 (8) To broker agreements between state agencies and
- 26 ~~departments~~ *departments*, and between state agencies and
- 27 ~~departments and local-jurisdictions~~ *jurisdictions*, to align and
- 28 coordinate resources, reduce administrative burdens of accessing
- 29 existing resources, and foster common applications for services,
- 30 operating, and capital funding.
- 31 (9) To serve as a statewide facilitator, coordinator, and policy
- 32 development resource on ending homelessness in California.
- 33 (10) To report to the Governor, federal Cabinet members, and
- 34 the Legislature on homelessness and work to reduce homelessness.
- 35 (11) To ensure accountability and results in meeting the
- 36 strategies and goals of the council.
- 37 (12) To identify and implement strategies to fight homelessness
- 38 in small communities and rural areas.
- 39 (13) To create a statewide data system or warehouse that collects
- 40 local data through Homeless Management Information Systems,

1 with the ultimate goal of matching data on homelessness to
2 programs impacting homeless recipients of state programs, such
3 as ~~Medi-Cal~~ *the Medi-Cal program* (Chapter 7 (commencing with
4 Section 14000) of Part 3 of Division 9) and CalWORKs (Chapter
5 2 (commencing with Section 11200) of Part 3 of Division 9).

6 (14) ~~Setting~~ *To set* goals to prevent and end homelessness among
7 California's youth.

8 (15) ~~Working~~ *To work* to improve the safety, health, and welfare
9 of young people experiencing homelessness in the state.

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

14 (17) ~~Leading~~ *To lead* efforts to coordinate a spectrum of funding,
15 policy, and practice efforts related to young people experiencing
16 homelessness.

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

21 (e) ~~(1) The Governor shall appoint up to 19 members of the~~
22 ~~council as follows:~~

23 (c) (1) *The council shall be composed of all of the following*
24 *members:*

25 (A) The Secretary of Business, Consumer Services, and
26 Housing, or the secretary's designee, who shall serve as chair of
27 the council.

28 (B) ~~A representative from the Department~~ *The Director* of
29 Transportation.

30 (C) ~~A representative from the Department~~ *The Director* of
31 Housing and Community Development.

32 (D) ~~A representative of the State Department of~~ *The Director*
33 *of Social Services.*

34 (E) ~~A representative of the~~ *The Executive Director of the*
35 *California Housing Finance Agency.*

36 (F) ~~A representative of the State Department of~~ *The Director*
37 *of Health Care Services.*

38 (G) ~~A representative of the Department~~ *The Director* of Veterans
39 *Affairs.*

- 1 (H) ~~A representative of the~~ *The Secretary of the* Department of
- 2 Corrections and Rehabilitation.
- 3 (I) ~~A representative from the~~ *The Executive Director of the*
- 4 California Tax Credit Allocation Committee in the Treasurer’s
- 5 office.
- 6 (J) *The Director of the State Department of Public Health.*
- 7 ~~(J)~~
- 8 (K) A representative of the Victim Services Program within the
- 9 Division of Grants Management within the Office of Emergency
- 10 Services. *This person shall be appointed by the Director of the*
- 11 *Office of Emergency Services.*
- 12 ~~(K)~~
- 13 (L) A representative from the State Department of Education.
- 14 *This person shall be appointed by the Superintendent of Public*
- 15 *Instruction.*
- 16 ~~(L)~~
- 17 (M) A representative of the state public higher education system
- 18 who shall be from one of the following:
- 19 (i) The California Community Colleges.
- 20 (ii) The University of California.
- 21 (iii) The California State University.
- 22 (2) *The council shall regularly seek guidance from, and meet*
- 23 *with, an advisory committee that reflects racial and gender*
- 24 *diversity, and shall include all of the following:*
- 25 ~~(M)~~
- 26 (A) A formerly homeless person who lives in California.
- 27 ~~(N)~~
- 28 (B) A formerly homeless youth who lives in California.
- 29 (C) *A survivor of gender-based violence who formerly*
- 30 *experienced homelessness.*
- 31 ~~(O) Two representatives~~
- 32 (D) *Representatives* of local agencies or organizations that
- 33 participate in the United States Department of Housing and Urban
- 34 Development’s Continuum of Care Program.
- 35 ~~(P) State advocates or other members of the public or state~~
- 36 ~~agencies, at the Governor’s discretion.~~
- 37 ~~(2) The Senate Committee on Rules and the Speaker of the~~
- 38 ~~Assembly shall each appoint one member to the council from two~~
- 39 ~~different stakeholder organizations.~~

1 (E) Stakeholders with expertise in solutions to homelessness
2 and best practices from other states.

3 (F) Representatives of committees on African Americans, youth,
4 and survivors of gender-based violence.

5 ~~(3) The council may, at its discretion,~~ *At its discretion, the*
6 *council may* invite stakeholders, individuals who have experienced
7 homelessness, members of philanthropic communities, and experts
8 to participate in meetings or provide information to the council.

9 (d) The council shall hold public meetings at least once every
10 quarter.

11 ~~(e) The members of the council shall serve at the pleasure of~~
12 ~~the appointing authority.~~

13 ~~(f)~~

14 (e) Within existing funding, the council may establish working
15 groups, task forces, or other structures from within its membership
16 or with outside members to assist it in its work. Working groups,
17 task forces, or other structures established by the council shall
18 determine their own meeting schedules.

19 ~~(g)~~

20 (f) The members of the council shall serve without
21 compensation, except that members of the council who are, or
22 have been, homeless may receive reimbursement for travel, per
23 diem, or other expenses.

24 ~~(h)~~

25 (g) The Business, Consumer Services, and Housing Agency
26 shall provide staff for the council.

27 ~~(i)~~

28 (h) The members of the council may enter into memoranda of
29 understanding with other members of the council to achieve the
30 goals set forth in this chapter, as necessary, in order to facilitate
31 communication and cooperation between the entities the members
32 of the council represent.

33 ~~(j)~~

34 (i) There shall be an executive director of the council under the
35 direction of the Secretary of Business, Consumer Services, and
36 Housing.

37 ~~(k)~~

38 (j) The council shall be under the direction of the executive
39 director and staffed by employees of the Business, Consumer
40 Services, and Housing Agency.

1 *SEC. 6. Section 8257.1 is added to the Welfare and Institutions*
2 *Code, to read:*

3 8257.1. (a) *The coordinating council, the coordinating*
4 *council's technical service provider, or an entity the coordinating*
5 *council contracts with for this purpose, shall do all of the*
6 *following:*

7 (1) *Identify programs in the state that provide housing or*
8 *housing-based services to persons experiencing homelessness and*
9 *describe all of the following for each program, to the extent that*
10 *data is available:*

11 (A) *The amount of funding the program receives each year and*
12 *funding sources for the program.*

13 (B) *The number of persons the program serves each year,*
14 *disaggregated by race, gender, and age range.*

15 (C) *Limitations, if any, on the length of stay for housing*
16 *programs and length of provision of services for service programs.*

17 (D) *Limitations, if any, on the length of stay for housing*
18 *programs and duration of provision of services for service*
19 *programs.*

20 (E) *Specific subpopulations served and limits on eligibility for*
21 *services.*

22 (F) *Referral and prioritization protocols.*

23 (G) *If applicable, reasons for the unavailability of data.*

24 (2) *Identify the total number and type of subsidized beds or units*
25 *of permanent housing for people experiencing homelessness*
26 *statewide.*

27 (3) *Analyze the need for supportive housing, rapid rehousing,*
28 *and affordable housing for people experiencing homelessness.*

29 (4) *Analyze the need for services, and the type of services*
30 *needed, to assist people experiencing homelessness to find housing,*
31 *move into housing, remain stably housed, and grow income.*

32 (5) *Identify the number of and types of interim interventions*
33 *available to persons experiencing homelessness. The data*
34 *described in this paragraph shall also include, but is not limited*
35 *to, all of the following:*

36 (A) *The number of year-round shelter beds.*

37 (B) *The average length of stay in or use of interim interventions.*

38 (C) *The exit rate from an interim intervention to permanent*
39 *housing.*

1 (6) Analyze the need for additional interim interventions and
2 funding needed to create these interventions, taking into
3 consideration the ideal length of stay set by the United States
4 Department of Housing and Urban Development.

5 (7) Identify or estimate the total number of people discharged
6 from state-funded institutional settings who fall into homelessness
7 within 72 hours of discharge, disaggregated by race and gender.
8 If data are unavailable, the entity conducting the analysis may
9 extrapolate from national, local, or statewide estimates on the
10 number or percentage of people discharged from specific
11 institutional settings into homelessness.

12 (8) Collect data on the numbers and demographics of persons
13 experiencing homelessness, including, but not limited to, a
14 quantification of the racial and ethnic disparities in the homeless
15 population relative to the general population, to the extent data
16 is available, in all of the following circumstances:

17 (A) As a young adult.

18 (B) As an unaccompanied minor.

19 (C) As a single adult.

20 (D) As an adult over 50 years of age.

21 (E) As a survivor of gender-based violence.

22 (F) As a veteran.

23 (G) As a person on parole or probation.

24 (H) As a member of a family.

25 (I) As a single adult or family experiencing chronic patterns of
26 homelessness.

27 (J) As a person living with serious mental illness or a substance
28 use disorder.

29 (K) As a member of the lesbian, gay, bisexual, transgender, and
30 queer (LGBTQ) community.

31 (L) As a parenting youth.

32 (9) Collect data on exits from homelessness to housing,
33 including, but not limited to, the number of people moving into
34 permanent housing and the type of housing being accessed, the
35 type of interventions people exiting homelessness received, if any,
36 and racial and gender characteristics of people accessing each
37 type of housing and receiving each type of intervention.

38 (10) Assess a sampling of data provided by local jurisdictions
39 regarding the number of people experiencing homelessness who
40 accessed interim interventions, including, but not limited to,

1 *shelters, recuperative care, and motels and hotels, in response to*
2 *the COVID-19 pandemic, and the number of people who were able*
3 *to access permanent housing on or before the expiration of interim*
4 *assistance, disaggregated by race and gender.*

5 *(11) Create a financial model that will assess needs for*
6 *investment in capital, in operating supports in project-based*
7 *housing, in rental assistance with private-market landlords, and*
8 *in services costs for purposes of moving persons experiencing*
9 *homelessness into permanent housing. The financial model shall*
10 *include an explanation of how these investments will affirmatively*
11 *reduce and close any racial disparities identified in the homeless*
12 *population.*

13 *(b) (1) To conduct the needs and gaps analysis required by*
14 *subdivision (a), the coordinating council or other entity conducting*
15 *the analysis shall evaluate data from agencies and departments*
16 *with representatives on the council, statewide and local homeless*
17 *point-in-time counts and housing inventory counts, data from*
18 *housing exits, data from local gaps and needs analyses from*
19 *geographically diverse communities, and available statewide*
20 *information on the number or rate of persons exiting state-funded*
21 *institutional settings into homelessness.*

22 *(2) If specific data are unavailable, the coordinating council*
23 *or other entity conducting the analysis may calculate estimates*
24 *based on national or local data. The coordinating council or other*
25 *entity shall only use data that meets either of the following*
26 *requirements:*

27 *(A) The data is from an evaluation or study from a third-party*
28 *evaluator or researcher and is consistent with data from*
29 *evaluations or studies from other third-party evaluators or*
30 *researchers.*

31 *(B) An agency of the federal government cites and refers to the*
32 *data as evidence-based.*

33 *(3) The coordinating council or other entity conducting the*
34 *analysis may extrapolate data from a geographically diverse*
35 *sampling of local data analyses to inform the statewide analysis.*

36 *(c) The coordinating council shall report on the final needs and*
37 *gaps analysis by July 31, 2022, to the Assembly Committee on*
38 *Housing and Community Development, the Assembly Committee*
39 *on Budget, Senate Committee on Housing, and Senate Committee*
40 *on Budget and Fiscal Review. The report submitted pursuant to*

1 *this paragraph shall comply with Section 9795 of the Government*
2 *Code.*

3 *(d) The coordinating council shall seek technical assistance*
4 *offered by the United States Department of Housing and Urban*
5 *Development, if available, for the purpose of conducting the*
6 *statewide needs and gaps analysis required by this section.*

7 *SEC. 7. Section 8257.2 is added to the Welfare and Institutions*
8 *Code, to read:*

9 *8257.2. (a) Notwithstanding any other law, for purposes of*
10 *designing, collecting data for, and approving the needs and gaps*
11 *analysis described in Section 8257.1, a state department or agency*
12 *that has a member on the coordinating council shall, within 180*
13 *days of a request for data pertaining to that state department or*
14 *agency, provide to the coordinating council, or the entity*
15 *conducting the analysis, the requested data, including, but not*
16 *limited to, the number or rate of persons exiting state-funded*
17 *institutional settings into homelessness.*

18 *(b) The state department or agency shall remove any personally*
19 *identifying information provided pursuant to subdivision (a), if*
20 *any. For purposes of this subdivision, “personally identifying*
21 *information” has the same meaning as defined in Section 1798.79.8*
22 *of the Civil Code.*

23 *SEC. 8. Section 8258 is added to the Welfare and Institutions*
24 *Code, to read:*

25 *8258. (a) The council shall convene a funder’s workgroup to*
26 *accomplish the goals of this chapter. The workgroup shall include*
27 *staff of the council, staff working for agencies or departments*
28 *represented on the council, and representatives on the committees*
29 *created pursuant to subdivision (l) of Section 13056. The funder’s*
30 *workgroup may invite philanthropic organizations focused on*
31 *ending homelessness, reducing health disparities, ending domestic*
32 *violence, or ensuring Californians do not exit foster care or*
33 *incarceration to homelessness to participate in specific meetings.*

34 *(b) The funder’s workgroup shall do all of the following:*

35 *(1) Align all request for proposals, all-county letters, and notices*
36 *of funding proposals with standards following evidence-based*
37 *housing and housing-based service models.*

38 *(2) Coordinate, as appropriate, with staff in the Governor’s*
39 *office to solicit monetary donations or in-kind donations from*
40 *businesses, nonprofit organizations, or individuals for the purpose*

1 of encouraging innovation in ending homelessness and augmenting
2 funding for evidence-based housing and services.

3 (3) Work collaboratively with county associations, and staff
4 from county and state departments, including the Department of
5 Corrections and Rehabilitation and the State Department of Health
6 Care Services, to establish discharge protocols and a process for
7 agencies and departments to collectively identify and assist
8 individuals exiting state-funded institutions, including, but not
9 limited to, people leaving prisons, state-funded hospitals or nursing
10 homes, and foster care, who are at risk of homelessness, along
11 with procedures or programs for state agencies and departments
12 to implement to prevent discharges into homelessness.

13 (4) Collaborate with existing state agency staff to develop a
14 universal application for developers, service providers, local
15 government agencies, and other entities to apply to agencies and
16 departments represented on the council for funding for services
17 and housing for persons experiencing homelessness.

18 (5) Examine and promote racially equitable and
19 gender-equitable policies for departments and agencies that
20 provide housing and services to individuals experiencing
21 homelessness.

22 (c) The workgroup shall coordinate relevant state agencies and
23 departments to reduce the risk of long-term homelessness by
24 developing specific protocols and procedures that accomplish all
25 of the following:

26 (1) (A) Ensure that survivors of domestic violence, sexual
27 assault, and exploitation experiencing homelessness have access
28 to housing navigation, housing acquisition support, and programs
29 funded under this chapter that are specifically designed to meet
30 their needs.

31 (B) The services described under subparagraph (A) shall be
32 provided by, or in consultation with, domestic violence counselors,
33 as defined in Section 1037.1 of the Evidence Code, and provided
34 in compliance with all applicable state and federal confidentiality
35 laws.

36 (2) Assist individuals reentering communities from jails and
37 prisons with housing navigation, housing acquisition support, and
38 obtaining permanent housing.

39 (3) Assist young adults exiting foster care and former foster
40 youth with housing navigation, obtaining permanent housing,

1 *accessing legal assistance, and navigating available public benefits*
2 *that they may be entitled to receive.*

3 (4) *Assist people exiting hospitals, nursing homes, and state*
4 *hospitals for people with mental illness to obtain permanent*
5 *housing, or, if an individual needs care and supervision, licensed*
6 *residential facilities.*

7 (5) *Connect older adults to programs and services that assist*
8 *independent living, including the assisted living waiver program,*
9 *as described in Section 14132.26, in-home supportive services, as*
10 *described in Article 7 (commencing with Section 12300) of Chapter*
11 *3 of Part 3 of Division 9, Program of All-Inclusive Care for the*
12 *Elderly (PACE) services, as described in Chapter 8.75*
13 *(commencing with Section 14591) of Part 3 of Division 9, and*
14 *other wraparound and personal care services.*

15 SEC. 9. *Chapter 5.2 (commencing with Section 13050) is added*
16 *to Part 3 of Division 9 of the Welfare and Institutions Code, to*
17 *read:*

18

19

CHAPTER 5.2. BRING CALIFORNIA HOME ACT

20

21 *13050. This chapter shall be known, and may be cited, as the*
22 *Bring California Home Act.*

23 *13051. The Legislature finds and declares all of the following:*

24 (a) *Homelessness is solvable, and the state has a role to play*
25 *in rendering homelessness rare, brief, and nonrecurring. In fact,*
26 *national and other state experiences show that jurisdictions at*
27 *every level, including homeless continuums of care, cities, counties,*
28 *and the state, must collaborate to achieve advances in reducing*
29 *and ultimately solving homelessness.*

30 (b) *In January 2019, an estimated 151,278 people experienced*
31 *homelessness in California at a single point in time, as reported*
32 *by the United States Department of Housing and Urban*
33 *Development. This is the highest number since 2007, and*
34 *represented a 17-percent increase since 2018. Experts predict*
35 *significant increases in homelessness in 2021 resulting from the*
36 *COVID-19 economic downturn.*

37 (c) *African Americans are disproportionately represented among*
38 *California's homeless population. While 6.5 percent of*
39 *Californians identify as Black or African American, almost 40*
40 *percent of the state's homeless population is African American.*

1 *The rate of homelessness among African Americans is almost twice*
2 *the rates of poverty among African Americans. Similarly,*
3 *indigenous populations are over six times more likely to experience*
4 *homelessness than the general population.*

5 *(d) Latinx Californians are least likely to access housing and*
6 *services available in their communities.*

7 *(e) Women have unique precursors and experiences of*
8 *homelessness. Domestic violence is a primary cause of*
9 *homelessness for women, and women are more likely to experience*
10 *domestic violence, sexual assault, and exploitation once they*
11 *become homeless. Domestic violence is also a common experience*
12 *and cause of homelessness among families, youth, and people who*
13 *identify as transgender. Survivors of domestic violence, sexual*
14 *assault, and exploitation are typically underserved in our homeless*
15 *systems.*

16 *(f) Research suggests homeless populations are at far greater*
17 *risk for consequences of COVID-19. Early studies estimated people*
18 *experiencing homelessness are two to three times as likely to die*
19 *from COVID-19 than the general population. COVID-19 is putting*
20 *pressure on local homeless systems to open safe sites for people*
21 *to shelter, in noncongregant settings, to avoid the spread of*
22 *COVID-19.*

23 *(g) Due to the economic impacts of COVID-19, researchers*
24 *estimate significant increases in homelessness.*

25 *(h) COVID-19 has also resulted in increased rates of domestic*
26 *violence, putting pressure on domestic violence response systems*
27 *to ensure safe housing for survivors.*

28 *(i) People living on the streets typically resided in a surrounding*
29 *neighborhood prior to falling into homelessness. As examples, 70*
30 *percent of the people experiencing homelessness in the City and*
31 *County of San Francisco lived in the city before becoming homeless*
32 *and only 8 percent came from out of state; about 75 percent of the*
33 *homeless population of the County of Los Angeles lived in the*
34 *region before becoming homeless; and 73 percent of people*
35 *experiencing homelessness in the County of Tehama were living*
36 *in the county before becoming homeless.*

37 *(j) Homelessness often results from institutionalization, and*
38 *homelessness often also causes a cycle of institutionalization that*
39 *generates significant public sector costs. Reversing a cycle of*
40 *institutionalization and homelessness requires collaboration*

1 *between the state, local governments, and the private sector,*
2 *including collaboration to prevent discharges from institutional*
3 *settings into homelessness.*

4 *(k) Almost 30 years of studies consistently prove housing*
5 *affordable to people experiencing homelessness and without limits*
6 *on length of stay, referred to as permanent housing, allows people*
7 *to exit homelessness and remain stably housed. Recent experiences*
8 *with investment in permanent housing for veterans shows we can*
9 *reduce homelessness significantly with appropriate levels of*
10 *investment in permanent housing. Evidence further shows people*
11 *cannot recover from a serious mental illness, a substance use*
12 *disorder, or a chronic medical condition, or reduce their rate or*
13 *incidence of incarceration, hospitalization, or institutionalization,*
14 *unless and until housed.*

15 *(l) People who move from homelessness to permanent housing*
16 *are able to reduce the overall costs of public services. Randomized,*
17 *control-group studies, including studies published in the Journal*
18 *of the American Medical Association, show that housing with*
19 *services allows formerly homeless people with serious mental*
20 *illness to reduce their Medicaid and justice-system costs, often*
21 *equivalent to the costs of housing and services. Providing housing*
22 *to people experiencing homelessness is also shown to reduce local*
23 *and state jurisdictions' expenditures on public safety, health care,*
24 *and sanitation.*

25 *(m) By creating a Bring California Home Fund, it is the intent*
26 *of the Legislature to make homelessness rare, brief, and*
27 *nonrecurrent. Toward this end, it is the intent of the Legislature*
28 *to create a subsidy program to fill gaps within state's response to*
29 *homelessness, scale evidence-based solutions while promoting*
30 *innovation to move people quickly into permanent housing,*
31 *eliminate racial and gender disparities in who becomes homeless*
32 *and who is able to access housing and housing-based services,*
33 *establish greater flexibility and a more nimble process in*
34 *implementing a comprehensive response to homelessness, facilitate*
35 *critically needed collaboration between different levels of*
36 *government, align housing and services resources, foster a*
37 *streamlined process at the local and state levels to fund and build*
38 *housing opportunities more quickly, and standardize the state's*
39 *response to homelessness toward a focus on evidence-based*

1 *housing and housing-based services solutions through long-term*
2 *state and local structural changes.*

3 *(n) It is the intent of the Legislature that racial disparities in*
4 *the homeless population be eliminated by December 31, 2032.*

5 *(o) Multinational corporations have been shifting income out*
6 *of the California corporate tax base for decades. To recapture lost*
7 *revenue on an ongoing basis, it is the intent of the Legislature to*
8 *conform to certain provisions of the federal Internal Revenue Code*
9 *governing the taxation of corporations, as provided in the act*
10 *adding this chapter.*

11 *(p) It is further the intent of the Legislature to return corporate*
12 *tax rates for the wealthiest corporations to historic corporate tax*
13 *rates, as provided in the act adding this chapter, to save the lives*
14 *of people experiencing homelessness and resolve one of the*
15 *greatest moral crises of our state.*

16 *13052. (a) (1) The Bring California Home Fund is hereby*
17 *created in the State Treasury.*

18 *(2) (A) (i) No later than June 1, 2022, the Franchise Tax Board,*
19 *in consultation with the Department of Finance, shall estimate the*
20 *amount of revenue that would have resulted if Sections 17087.7*
21 *and 25110.1 of the Revenue and Taxation Code, as added by the*
22 *act adding this chapter, and the amendments to Section 23151 of*
23 *the Revenue and Taxation Code made by the act adding this*
24 *chapter had applied to taxable years beginning on or after January*
25 *1, 2021, and before January 1, 2022, and notify the Controller of*
26 *that amount.*

27 *(ii) No later than June 1, 2023, and annually thereafter, the*
28 *Franchise Tax Board, in consultation with the Department of*
29 *Finance, shall estimate the amount of additional revenue resulting*
30 *from the application of Sections 17087.7 and 25110.1 of the*
31 *Revenue and Taxation Code, as added by the act adding this*
32 *chapter, and the amendments to Section 23151 of the Revenue and*
33 *Taxation Code made by the act adding this chapter for the taxable*
34 *years beginning on or after January 1 of the calendar year*
35 *immediately preceding the year in which the estimate is made and*
36 *before January 1 of the year in which the estimate is made and*
37 *notify the Controller of that amount.*

38 *(B) Upon receiving the notifications from the Franchise Tax*
39 *Board pursuant to subparagraph (A), the Controller shall transfer*
40 *an amount, equal to the amount estimated by the Franchise Tax*

1 Board in those notifications, from the General Fund to the Bring
2 California Home Fund.

3 (3) In addition to the moneys made available pursuant to
4 paragraph (2), moneys in the fund may include, but are not limited
5 to, moneys transferred from other state sources, private or
6 philanthropic donations, and any recoveries or reversions resulting
7 from activities pursuant to this chapter.

8 (b) Notwithstanding Section 13340 of the Government Code,
9 moneys in the fund are continuously appropriated to the Homeless
10 Coordinating and Financing Council and the Department of
11 Housing and Community Development solely for the purpose of
12 implementing and administering this chapter.

13 (c) (1) The Homeless Coordinating and Financing Council and
14 the Department of Housing and Community Development shall
15 work collaboratively pursuant to a memorandum of understanding
16 to carry out the functions and duties of this chapter and to address
17 their respective and shared responsibilities in implementing,
18 overseeing, and evaluating this chapter. The council and the
19 department shall leverage the programmatic and administrative
20 expertise of relevant state agencies, as that term is defined in
21 Section 11000 of the Government Code, in implementing the
22 program.

23 (2) No later than March 31, 2022, the council and the
24 department shall submit a copy of the final memorandum of
25 understanding to the Senate Committee on Budget and Fiscal
26 Review and the Assembly Committee on Budget. The copy of the
27 final memorandum of understanding required to be submitted to
28 committees of the Legislature pursuant to this paragraph shall be
29 submitted in compliance with Section 9795 of the Government
30 Code.

31 (d) In implementing this chapter, the council shall establish a
32 division to implement the auditing, monitoring, technical
33 assistance, administration, and training activities described in this
34 chapter that is separate from the coordinating activities of the
35 council described in Section 8257.

36 (e) Notwithstanding any other law, nonstate moneys
37 appropriated from the fund that are not encumbered or liquidated
38 shall revert to the fund.

39 13053. For purposes of this chapter:

- 1 (a) “Affordable housing” means multifamily rental housing
2 receiving public subsidy that allows extremely, extremely low
3 income households, extremely low income households, and very
4 low income households occupying that housing to pay no more
5 than 30 percent of their household income on rent.
- 6 (b) “Agency” means the California Health and Human Services
7 Agency.
- 8 (c) “Area median income” means the median family income of
9 a geographic area of this state, determined in accordance with
10 Section 50093 of the Health and Safety Code.
- 11 (d) “Continuum of care” has the same meaning as defined by
12 the United States Department of Housing and Urban Development
13 at Section 578.3 of Title 24 of the Code of Federal Regulations.
- 14 (e) “Coordinated entry system” means a centralized or
15 coordinated process developed pursuant to Section 576.400 or
16 578.7, as applicable, of Title 24 of the Code of Federal
17 Regulations, as that section read on January 1, 2020, designed to
18 coordinate program participant access, assessment, prioritization,
19 and referrals. For purposes of this chapter, a centralized or
20 coordinated assessment system shall cover the geographic area,
21 be easily accessed by individuals and families seeking housing or
22 services, be well advertised, and include a comprehensive and
23 standardized assessment tool. However, the assessment tool may
24 vary to assess the specific needs of an identified population. The
25 centralized or coordinated assessment system shall also specify
26 how it will address the needs of individuals or families who are
27 fleeing, or attempting to flee, domestic violence, dating violence,
28 sexual assault, or stalking.
- 29 (f) “Council” means the Homeless Coordinating and Financing
30 Council.
- 31 (g) “Department” means the Department of Housing and
32 Community Development.
- 33 (h) “Diversion” means services to connect individuals and
34 families to alternate housing arrangements, case management
35 services, and financial assistance to divert the household from
36 shelter use and into permanent housing, including, but not limited
37 to, housing arrangements with friends or family.
- 38 (i) “Eligible population” means persons experiencing
39 homelessness and persons exiting rapid rehousing, transitional
40 housing, or an institutional setting who are homeless or were

1 *homeless before their entry and have no other housing options*
2 *upon exit without assistance.*

3 (j) *“Extremely, extremely low income households” means*
4 *persons and families whose household income does not exceed 20*
5 *percent of the area median income, as adjusted for family size and*
6 *revised annually.*

7 (k) *“Extremely low income households” has the same meaning*
8 *as defined in Section 50106 of the Health and Safety Code.*

9 (l) *“Fund” means Bring California Home Fund created*
10 *pursuant to Section 13052.*

11 (m) *“Gender-based violence” includes domestic violence, dating*
12 *violence, sexual assault, stalking, human trafficking, and*
13 *commercial sexual exploitation. The term acknowledges that the*
14 *majority of victims of gender-based violence are women or*
15 *female-identified people.*

16 (n) *“Holding fees” and “vacancy costs” mean payments to*
17 *private-market landlords as incentives to hold a housing unit as*
18 *available to an eligible participant while the participant or*
19 *landlord are waiting for approval to rent the housing unit.*

20 (o) *“Homeless,” “homelessness,” “imminent risk of*
21 *homelessness,” and “chronically homeless” have the same*
22 *meanings as those terms are each defined in Section 578.3 of Title*
23 *24 of the Code of Federal Regulations, as that section read on*
24 *January 1, 2021.*

25 (p) *“Homeless Management Information System” or “HMIS”*
26 *means the information system designated by a continuum of care*
27 *to comply with federal reporting requirements as defined in Section*
28 *578.3 of Title 24 of the Code of Federal Regulations, as that section*
29 *read on January 1, 2021. The term “Homeless Management*
30 *Information System” or “HMIS” also includes the use of a*
31 *comparable database by a victim services provider or legal*
32 *services provider that is permitted by the United States Department*
33 *of Housing and Urban Development under Part 576 of Title 24 of*
34 *the Code of Federal Regulations, as that part read on January 1,*
35 *2021.*

36 (q) *“Homeless youth” means an unaccompanied youth between*
37 *12 and 24 years of age, inclusive, who is experiencing*
38 *homelessness, as defined in subsection (2) of Section 725 of the*
39 *federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec.*
40 *11434a(2)).*

1 (r) Subject to paragraph (1) of subdivision (t), “Housing First”
2 means adhering to the core components specified in Section 8255,
3 except that recipients may fund recovery housing if the tenant
4 chooses to live in an abstinence-based setting over a harm
5 reduction setting and the housing otherwise complies with all other
6 core components of Housing First described in Section 8255,
7 including requirements that tenants have leases, that they are not
8 evicted for relapse or failure to participate in services, and that
9 they are provided services to relocate to housing offering a harm
10 reduction model if they choose to live in such housing.

11 (s) “Housing navigation” means services that assist program
12 participants with locating permanent housing with private market
13 landlords or property managers who are willing to accept rental
14 assistance or operating subsidies for the program participants to
15 assist those program participants in obtaining local, state, or
16 federal assistance or subsidies; completing housing applications
17 for permanent housing or housing subsidies and, when applicable,
18 move-in assistance; and obtaining documentation needed to access
19 permanent housing and rental assistance or subsidies.

20 (t) “Interim intervention” means a safe place to live that is low
21 barrier but does not qualify as permanent housing and includes,
22 but is not limited to, emergency shelters, navigation centers, motel
23 vouchers, recovery-oriented interim interventions, Project Roomkey
24 or Project Homekey sites used as interim housing, a cabin or
25 similar communities, and recuperative or respite care, as those
26 terms may be defined under any other applicable local, state, or
27 federal program. For purposes of this subdivision, an interim
28 intervention shall be deemed to be “low barrier” if all of the
29 following apply:

30 (1) The interim intervention is a Housing First, service-enriched
31 intervention focused on moving people into permanent housing
32 that provides temporary living facilities while case managers
33 connect individuals experiencing homelessness to permanent
34 housing, income, public benefits, and health services.
35 Notwithstanding subdivision (r), for purposes of interim
36 interventions “Housing First” shall not require a lease.

37 (2) The interim intervention utilizes best practices to reduce
38 barriers to entry, including, but not limited to, allowing partners
39 and older minors, unless the interim intervention is a
40 population-specific site; allowing pets; allowing storage of

1 *possessions; allowing residents to engage in treatment for*
2 *substance use disorders including medications for addiction*
3 *treatment; offering services to connect persons to permanent*
4 *housing; providing privacy; and providing linkage to a coordinated*
5 *entry system.*

6 (3) *The interim intervention offers a harm reduction approach,*
7 *except where tenants request an abstinence-based model.*

8 (4) *The interim intervention has a system for entering*
9 *information regarding client stays, demographics, income, and*
10 *exit destination through a local HMIS or similar system.*

11 (u) *“Large city” means a city or city and county, whether*
12 *general law or chartered, with a population of 300,000 or greater*
13 *based on the most recent American Community Survey.*

14 (v) *“Master leasing” means that a single lease covers multiple*
15 *properties leased from a landlord or property manager to a*
16 *recipient or subrecipient that the recipient or subrecipient sublets*
17 *to program participants. The single lease shall comply with all*
18 *applicable provisions of this chapter and be subject to the rights*
19 *and responsibilities of tenancy under the laws of this state.*

20 (w) *“Multifamily rental housing” means an improvement on*
21 *real estate consisting of one or more buildings that contain five*
22 *or more residential rental units.*

23 (x) *“Operating subsidy” means a subsidy that allows an*
24 *individual or household to occupy a new or existing permanent*
25 *housing or supportive housing project while paying no more than*
26 *30 percent of their income on rent. An “operating subsidy” may*
27 *include a capitalized operating subsidy reserve for at least 17*
28 *years.*

29 (y) *“Participant” or “tenant” mean a person or household that*
30 *is a member of the eligible population and receives assistance*
31 *under this chapter.*

32 (z) *“Permanent housing” means a structure or set of structures*
33 *with no limit on length of stay, even if accompanied by time-limited*
34 *rental subsidy, that is subject to applicable landlord-tenant law*
35 *and has no requirement to participate in supportive services as a*
36 *condition of access to or continued occupancy in the housing.*

37 (aa) *“Point-in-time count” has the same meaning as defined in*
38 *Section 578.3 of Title 24 of the Code of Federal Regulations, as*
39 *that section read on January 1, 2021.*

- 1 (ab) “Populations who face barriers to accessing housing”
2 include, but are not limited to, all of the following:
- 3 (1) Survivors of gender-based violence.
- 4 (2) Persons who are at least 50 years of age and are
5 experiencing homelessness or exiting nursing care with nowhere
6 to go upon exit.
- 7 (3) Persons with high-acuity chronic medical or behavioral
8 health conditions experiencing homelessness or who were homeless
9 when admitted to an institutional setting or who have nowhere to
10 live upon discharge from an institutional setting.
- 11 (4) Persons exiting justice settings who were homeless when
12 incarcerated or who have a history of homelessness prior to
13 incarceration and have nowhere to live upon discharge.
- 14 (ac) “Prevention and problem-solving” and “rapid resolution”
15 mean using targeted person-centered, short-term housing or
16 services approaches to assist households who are at imminent risk
17 of homelessness or have recently fallen into homelessness to
18 maintain their current housing or identify an immediate and safe
19 housing alternative within their social network.
- 20 (ad) “Program” means the Bring California Home Program
21 established and implemented in accordance with this chapter.
- 22 (ae) (1) “Rare, brief, and nonrecurrent” means strategies to
23 help the state and communities build lasting systems addressing
24 the immediate crisis of homelessness that are able to respond to
25 housing instability and homelessness quickly and efficiently.
- 26 (2) Making homelessness “rare” means incorporating strategies
27 for system building, partnerships with mainstream systems, and
28 diversion and prevention strategies.
- 29 (3) Making homelessness “brief” means leveraging strategies
30 to support comprehensive outreach, low barrier emergency shelter,
31 coordinated entry systems, and swift connections to permanent
32 housing, with Housing First practices underpinning every element
33 of the response.
- 34 (4) Making homelessness “nonrecurring” means people exit to
35 permanent housing stably and successfully and do not return to
36 homelessness, as they are able to use housing as a platform for
37 accessing services that allow them to stabilize and thrive.
- 38 (af) “Reasonable rent” means an amount of rental payments
39 that does not exceed two times the fair market rent and is consistent
40 with the market rent in the community in which the multifamily

1 rental housing is located. For purposes of this subdivision, “fair
2 market rent” means the rent, including the cost of utilities, as
3 established by the United States Department of Housing and Urban
4 Development pursuant to Parts 888 and 982 of Title 24 of the Code
5 of Federal Regulations, as those parts read on January 1, 2021,
6 for units by number of bedrooms, that must be paid in the market
7 area to rent privately owned, existing, decent, safe, and sanitary
8 rental housing of nonluxury nature with suitable amenities.

9 (ag) “Recipient” means a large city, developer, or county that
10 applies jointly with a continuum of care and receives funds under
11 the program, as applicable.

12 (ah) “Recovery housing” means housing geared toward
13 individuals who choose to live in an abstinence-only environment
14 over a harm reduction model, while learning how to sustain
15 long-term recovery from substance use disorders, that allows for
16 medications for addiction treatment, that provides housing
17 navigation services to tenants who wish to leave recovery housing
18 for a harm reduction model, and that otherwise follows the core
19 components of Housing First described in Section 8255 and the
20 provisions of this chapter.

21 (ai) “Rental assistance” means a tenant-based rental subsidy
22 provided to a landlord or property manager to assist a tenant in
23 paying the difference between 30 percent of the tenant’s household
24 income and the reasonable rent for the multifamily rental housing
25 unit, as determined by the recipient.

26 (aj) “Severe rent burden” means a condition in which a person
27 or family pays more than 50 percent of their total household
28 income, as reported by the American Community Survey.

29 (ak) “Shared housing” means a type of permanent housing in
30 which tenants have their own lease, with all of the rights and
31 responsibilities of tenancy under the laws of this state, and may
32 share occupancy of that permanent housing with one or more other
33 tenants, or share use of either or both a kitchen and a bathroom
34 with one or more other tenants, subject to the applicable conditions
35 specified in this chapter.

36 (al) “Subrecipient” means a unit of local government or a
37 private nonprofit organization that the recipient determines is
38 qualified to undertake the eligible activities for which the recipient
39 seeks funds under the program, and that enters into a contract

1 with the recipient to undertake those eligible activities in
2 accordance with the requirements of the program.

3 (am) “Supportive housing” means permanent housing that is
4 occupied by an eligible tenant and that is linked to onsite or offsite
5 tenancy transition services and tenancy sustaining services that
6 assist the supportive housing tenants in retaining housing,
7 improving residents’ health status, and maximizing residents’
8 ability to live and, when possible, work in the community.
9 “Supportive housing” includes associated facilities if used to
10 provide services to housing residents.

11 (an) “Tenancy acquisition services” means staff dedicated to
12 engaging property owners to rent housing units to the eligible
13 population through rental assistance.

14 (af) “Tenancy sustaining services” means, using evidence-based
15 service models, any of the following:

16 (1) Early identification and intervention of behaviors that may
17 jeopardize housing security.

18 (2) Education and training on the rights and responsibilities of
19 the tenant and the landlord.

20 (3) Coaching on developing and maintaining key relationships
21 with landlords or property managers.

22 (4) Assistance in resolving disputes with landlords and
23 neighbors to reduce the risk of eviction.

24 (5) Advocacy and linkage with community resources to prevent
25 eviction when housing may become jeopardized.

26 (6) Care coordination and advocacy with health care
27 professionals.

28 (7) Assistance with a housing recertification process.

29 (8) Coordinating with the tenant to review and update a housing
30 support and crisis plan.

31 (9) Training in being a good tenant and lease compliance.

32 (10) Benefits advocacy.

33 (11) Evidence-employment services.

34 (12) Services connecting individuals to education.

35 (13) Any other service that supports individuals and families to
36 promote housing stability, foster community integration and
37 inclusion, and develop natural support networks and that are
38 offered through a trauma-informed, culturally-competent approach.

39 (ao) “Tenancy transition services” means using evidence-based
40 service models to provide any of the following:

- 1 (1) Screening and assessing the tenant’s preferences and
- 2 barriers to successful tenancy.
- 3 (2) Developing an individualized housing support plan that
- 4 includes motivational interviewing and goal setting.
- 5 (3) Assistance with the housing application and search process.
- 6 (4) Identifying resources to cover expenses for move-in and
- 7 furniture costs.
- 8 (5) Ensuring that the living environment is safe and ready for
- 9 move-in.
- 10 (6) Assisting and arranging for the details of the move.
- 11 (7) Developing a housing support crisis plan that includes
- 12 prevention and early intervention when housing is jeopardized.
- 13 (8) Engagement services.
- 14 (9) Any other evidence-based services that an individual tenant
- 15 may require to move into permanent housing.
- 16 (ap) “Very low income households” has the same meaning as
- 17 defined in Section 50105 of the Health and Safety Code.
- 18 13054. (a) Notwithstanding any other law and to the extent
- 19 allowable under federal law, assistance, services, or supports
- 20 received pursuant to this chapter are not income of the participant
- 21 for purposes of determining eligibility for, or benefits pursuant to,
- 22 any public assistance program. Participation in other benefits or
- 23 housing or housing-based services programs shall not disqualify
- 24 a person or household from being a participant for purposes of
- 25 housing or services funded pursuant to this chapter.
- 26 (b) The provisions of this chapter are severable. If any provision
- 27 of this chapter or its application is held invalid, that invalidity
- 28 shall not affect other provisions or applications that can be given
- 29 effect without the invalid provision or application.
- 30 13055. (a) The council shall administer allocations from the
- 31 fund to counties and continuums of care that apply jointly pursuant
- 32 to Section 13058 and to large cities that apply pursuant to Section
- 33 13059. The department shall administer allocations to developers
- 34 pursuant to Section 13060. The council and the department shall
- 35 administer the fund and allocate the moneys in the fund as follows:
- 36 (1) The council and the department may expend up to 5 percent
- 37 of the moneys available in the fund in any calendar year for
- 38 purposes of administering the program, including for ongoing
- 39 technical assistance and training to recipients and measuring data
- 40 and performance.

1 (2) *The department shall allocate four hundred million dollars*
2 *(\$400,000,000) pursuant to Section 13060.*

3 (3) *The council shall set aside two hundred million dollars*
4 *(\$200,000,000) for bonus awards to recipients, as provided in*
5 *subdivision (e) of Section 13056.*

6 (4) (A) *The council shall allocate the remaining amount in the*
7 *fund after the allocations made pursuant to paragraphs (1) through*
8 *(3), inclusive, as follows:*

9 (i) *Sixty percent of the amount described in this paragraph to*
10 *counties and continuums of care applying jointly, pursuant to*
11 *Section 13058.*

12 (ii) *Forty percent of the amount described in this paragraph to*
13 *large cities, pursuant to Section 13059.*

14 (B) *The council shall allocate funding to eligible recipients in*
15 *accordance with this paragraph that apply and meet the applicable*
16 *threshold requirements under Section 13058 or 13059, as*
17 *applicable, according to the following formula:*

18 (i) *The council shall afford 70 percent weight based on the 2019*
19 *homeless point-in-time count conducted by the United States*
20 *Department of Housing and Urban Development for the relevant*
21 *jurisdiction.*

22 (ii) *The council shall afford 30 percent weight based on the*
23 *number of extremely low income households who are severely rent*
24 *burdened in the relevant jurisdiction, based on the most recent*
25 *American Community Survey at the time of the application.*

26 (b) *Each recipient and subrecipient shall ensure that any*
27 *expenditure of moneys allocated to it pursuant to this chapter*
28 *serves the eligible population, unless otherwise expressly provided*
29 *in this chapter.*

30 13056. (a) *In allocating moneys under the program, the council*
31 *and the department shall comply with the following:*

32 (1) *No later than September 1, 2022, the council shall develop*
33 *guidelines and draft notices of funding availability or requests for*
34 *proposal, and the department shall adopt any necessary changes*
35 *to existing guidelines, in accordance with the rulemaking*
36 *provisions of the Administrative Procedure Act (Chapter 3.5*
37 *(commencing with Section 11340) of Part 1 of Division 3 of Title*
38 *2 of the Government Code).*

39 (2) *No later than January 1, 2023, and no later than March 1*
40 *of each year thereafter, the council shall issue award notices.*

1 (3) No later than March 31, 2023, and no later than April 1 of
2 every other year thereafter, the council shall allocate all available
3 funding for each two-year cycle.

4 (4) The council and the department shall issue a notice of
5 funding availability or request for proposal, as applicable, on a
6 consistent basis every two years.

7 (b) (1) The council and the department shall develop a simple
8 application that an entity eligible to receive an allocation under
9 this chapter may use to apply for that allocation and, consistent
10 with the requirements of this chapter, common standards for
11 recipients to monitor, report, and ensure accountability, provide
12 services, and subsidize housing. The council and the department
13 shall, to the extent feasible and consistent with the requirements
14 of this chapter, ensure that the common standards are the same
15 or similar for each applicant.

16 (2) To the extent feasible, the council and the department shall
17 work with the agency to connect services available under other
18 programs, including, but not limited to, services provided under
19 the Medi-Cal Act (Chapter 7 (commencing with Section 14000)),
20 to housing opportunities created through the fund.

21 (c) The council shall issue applications for allocations to
22 counties and continuums of care, pursuant to Section 13058, and
23 to large cities, pursuant to Section 13059, on the same date and
24 subject to the same deadlines. The council shall require that
25 recipients under Sections 13058 and 13059, as applicable, provide
26 the following information in their applications:

27 (1) The expected outcomes, numeric goals, and performance
28 measures established through consultation between the applicant
29 and council staff pursuant to subdivision (g), as well as a
30 description of policy changes the applicant will take to ensure
31 racial and gender equity in service delivery, housing placements,
32 and housing retention and changes to procurement or other means
33 of affirming racial and ethnic groups that are overrepresented
34 among residents experiencing homelessness have equitable access
35 to housing and services.

36 (2) A description of the specific actions, including funding
37 allocations, that will be taken to affirmatively eliminate gender
38 disparities in accessing homeless systems.

39 (3) Evidence that the applicant will adhere to Housing First in
40 housing and housing-based services programs.

1 (4) *Specific roles and responsibilities for each local agency,*
2 *continuum of care, and providers, including roles and*
3 *responsibilities in implementing systems improvements.*

4 (5) *A description of how the applicant will prevent returns to*
5 *homelessness among the eligible population.*

6 (6) *Goals for cross-agency collaboration, including*
7 *demonstration of collaboration between large cities, counties, and*
8 *continuums of care, to foster evidence-based solutions to*
9 *homelessness, and plans for making the applicants capital projects*
10 *viable through collaboration with other applicants and funders.*

11 (7) *An identification of the agency or agencies that will*
12 *administer the funding, ensuring agencies have relevant*
13 *experience.*

14 (8) *In the case of a joint application by a county and a*
15 *continuum of care pursuant to Section 13058, a description of how*
16 *the recipient will align and leverage state funding with existing*
17 *resources to create a flexible pool of funds.*

18 (9) *In the case of a joint application by a county and a*
19 *continuum of care pursuant to Section 13058, a description of how*
20 *the applicant will prevent exits to homelessness from institutional*
21 *settings, including plans to scale funding from mainstream systems*
22 *for evidence-based housing and housing-based solutions to*
23 *homelessness.*

24 (10) *A description of how an applicant pursuant to Section*
25 *13058 will provide incentives to cities within its territory to enact,*
26 *or how an applicant pursuant to Section 13059 will enact, land*
27 *use changes to streamline approval of supportive and affordable*
28 *housing and low-barrier shelters.*

29 (11) *Ways in which the applicant will include people with lived*
30 *expertise of homelessness in planning and decisionmaking.*

31 (12) *Processes to include youth and adults with lived expertise*
32 *of homelessness in decisionmaking, which may include, but is not*
33 *be limited to, planning and program delivery, advisory boards,*
34 *and technical assistance.*

35 (d) (1) *Based on the statewide needs and gaps analysis*
36 *conducted pursuant to Section 8257.1, the council shall establish*
37 *performance outcomes to make homelessness rare, brief, and*
38 *nonrecurring, and develop guidelines, with stakeholder input, to*
39 *include criteria in setting state and recipient performance outcome*

1 goals, informed by United States Department of Housing and
2 Urban Development system performance measures.

3 (2) The council shall consult with applicants to identify
4 ambitious and achievable performance outcomes that are
5 measurable and consistent with United States Department of
6 Housing and Urban Development performance standards. The
7 council shall work with applicants to achieve more challenging
8 outcomes for each progressive grant cycle.

9 (3) Applicants shall demonstrate an intent to apply before
10 engaging in consultation with the council pursuant to paragraph
11 (2), and may submit an application once the council approves the
12 applicant's performance outcomes.

13 (4) Based on criteria in guidelines and data of needs in the
14 recipient's jurisdiction, the council and each recipient shall
15 establish the performance outcomes for the initial cycle within the
16 first year of award. These performance outcomes may include
17 systems changes to help the recipient meet subsequent performance
18 outcomes and reductions in the number of people living in
19 unsheltered settings.

20 (5) The council and each recipient shall establish outcome goals
21 before each subsequent grant cycle, as follows:

22 (A) Performance outcomes in subsequent cycles shall include,
23 at minimum, the following:

24 (i) A specified reduction in the number of people experiencing
25 homelessness.

26 (ii) Specific outcomes for more equitably serving populations
27 overrepresented among the eligible population.

28 (iii) Specified reductions in racial and gender disparities among
29 people experiencing homelessness in subsequent grant cycles.

30 (B) Other performance outcomes may include, but are not
31 limited to, the following:

32 (i) A minimum number of people experiencing homelessness
33 who are diverted from a homeless shelter or who have successfully
34 accessed permanent housing during the relevant period.

35 (ii) Minimum reductions in people becoming homeless, including
36 targeted homelessness prevention and reductions in returns to
37 homelessness.

38 (iii) A minimum number of people exiting homelessness during
39 the relevant period.

- 1 (iv) *Commitments of funding to solve homelessness from existing*
2 *resources used to address mental illness, substance use, medical*
3 *care, the justice system, and child welfare involvement within the*
4 *jurisdiction.*
- 5 (v) *Meaningful commitments of local housing and homeless*
6 *services funding toward solving homelessness.*
- 7 (vi) *Memoranda of understanding for interjurisdictional*
8 *collaboration, with specific agreements to meet performance*
9 *standards.*
- 10 (e) *The council shall establish a process and guidelines for*
11 *awarding bonus funding to recipients under Sections 13058 and*
12 *13059, from the moneys described in paragraph (3) of subdivision*
13 *(a) of Section 13055, in accordance with the following:*
- 14 (1) (A) *The council shall award bonus funding to each recipient*
15 *in the first two-year cycle of the recipient's award.*
- 16 (B) *A recipient shall use bonus funding awarded pursuant to*
17 *this paragraph for the following purposes:*
- 18 (i) *Conducting or working with a technical assistance provider*
19 *to conduct or update a countywide homeless gaps and needs*
20 *analysis.*
- 21 (ii) *Capacity building and workforce development for the*
22 *jurisdiction's administering staff and providers.*
- 23 (iii) *Funding gaps in existing evidence-based programs serving*
24 *people experiencing homelessness.*
- 25 (iv) *Investing in data systems to meet reporting requirements*
26 *or strengthen the recipient's HMIS.*
- 27 (v) *Creating a mechanism for pooling and aligning housing and*
28 *services funding from existing, mainstream, and new funding.*
- 29 (vi) *Strengthening existing interim interventions to ensure those*
30 *systems operate safely in the wake of COVID-19 and other public*
31 *health crises.*
- 32 (vii) *Improving homeless point-in-time counts.*
- 33 (viii) *Improving coordinated entry systems or creating a*
34 *youth-specific coordinated entry system.*
- 35 (ix) *Funding capitalized operating subsidy reserves in capital*
36 *projects, if the jurisdiction does not require the above systems*
37 *improvements.*
- 38 (2) (A) *If, after the first or a subsequent grant cycle, as*
39 *applicable, a recipient has achieved the performance outcomes*

1 approved by the council pursuant to subdivision (d) for that cycle,
2 the council shall award bonus funding in the next award cycle.

3 (B) A recipient may use bonus funding awarded pursuant to
4 this paragraph for any purpose, consistent with the following
5 requirements:

6 (i) The recipient shall use the bonus funding awarded pursuant
7 to this paragraph to serve the eligible population or people at
8 imminent risk of homelessness, as defined in this chapter.

9 (ii) The recipient shall report to the council on the use of bonus
10 funding awarded pursuant to this paragraph and request approval
11 from the council for that use.

12 (iii) The recipient may only use bonus funding for the purpose
13 reported pursuant to clause (ii) if the council approves that use of
14 funding. The council shall approve a requested use of funding if,
15 in the council's judgment, the recipient's proposed use would
16 further the purposes of this chapter.

17 (3) If, by a date determined by the council at the end of the first
18 or a subsequent grant cycle, as applicable, a recipient has failed
19 to achieve the outcomes approved by the council pursuant to
20 subdivision (d) for that cycle, the council shall reduce or deny
21 bonus funding to that recipient in the next award cycle. Any moneys
22 dedicated for bonus funding pursuant to paragraph subdivision
23 (a) of Section 13055 that is not awarded to a recipient in any award
24 cycle for failure to achieve outcomes, as provided in this
25 paragraph, shall revert to the fund and the council shall allocate
26 those moneys as bonus funds to other recipients that have met their
27 approved outcomes in accordance with this subdivision.

28 (f) The council shall work closely with recipients under Sections
29 13058 and 13059 to provide technical assistance to those recipients
30 and their subrecipients in complying with the requirements of this
31 chapter and achieving the performance standards approved by
32 the council pursuant to subdivision (d). Technical assistance under
33 this subdivision shall include, but is not limited to, all of the
34 following:

35 (1) Using data to develop a systems model that identifies
36 investments needed for evidence-based interventions to impact
37 system flow and exits to permanent housing, based on a gaps and
38 needs analysis.

39 (2) Working regionally to scale up housing and services
40 interventions.

- 1 (3) *Adopting Housing First core components.*
- 2 (4) *Reducing racial disparities in homelessness and racial and*
- 3 *gender disparities in access to housing and services.*
- 4 (5) *Creating a flexible subsidy pool or other mechanism that*
- 5 *aligns housing and services funding, including funding under this*
- 6 *chapter, as well as existing funding under mainstream programs.*
- 7 (6) *Meeting United States Department of Housing and Urban*
- 8 *Development performance metrics and standards for reductions*
- 9 *in homelessness.*
- 10 (g) *The council and the department shall develop quality*
- 11 *standards with which each recipient shall comply. These quality*
- 12 *standards shall include, but are not limited to, the following:*
- 13 (1) *Each unit of new construction or rehabilitated through*
- 14 *capital funding or operating reserves shall include a bathroom in*
- 15 *each unit and either a kitchenette in each unit or an accessible,*
- 16 *shared kitchen space accessible to all tenants, except that, in the*
- 17 *case of acquisition and rehabilitation of single-room occupancy*
- 18 *settings, each housing unit shall be equipped with a bathroom in*
- 19 *the unit or a shared bathroom and kitchen easily accessible to the*
- 20 *tenants.*
- 21 (2) (A) *For rental assistance provided to private market or*
- 22 *nonprofit landlords, the following shall apply:*
- 23 (i) *Except as otherwise provided in clause (ii), each housing*
- 24 *unit shall include a bathroom and an easily accessible kitchen or*
- 25 *kitchenette.*
- 26 (ii) *If the tenant resides in a single-room occupancy setting,*
- 27 *each housing unit shall be equipped with either a bathroom within*
- 28 *the unit or a shared bathroom and a shared kitchen that is easily*
- 29 *accessible to tenants.*
- 30 (B) *For purposes of this paragraph, the council shall develop*
- 31 *standards for a kitchen or kitchenette to be deemed easily*
- 32 *accessible consistent with the requirements of this chapter.*
- 33 (3) *Shared housing units funded under the program shall be*
- 34 *subject to the following restrictions:*
- 35 (A) *Before referring a tenant to shared housing, the referring*
- 36 *entity shall consider the following:*
- 37 (i) *Any functional limitations of the tenant.*
- 38 (ii) *Whether the proposed housing configuration may put the*
- 39 *tenant at risk of gender-based violence, consistent with training*
- 40 *on gender-based violence.*

1 (B) Referrals to shared housing shall be consistent with tenant
2 choice in whether to participate in shared housing and with whom
3 the tenant will reside in that shared housing.

4 (C) A provider of shared housing shall offer services appropriate
5 to meet the needs of tenants living in that shared housing, including
6 services in mitigating conflicts between tenants and services
7 helping tenants move to other housing options, according to tenant
8 choice.

9 (D) For all shared housing units, each participant, other than
10 a participant who is a minor accompanied by an adult or two adult
11 participants who constitute a single household, shall be offered
12 their own bedroom with a door that has a functioning lock and be
13 required to sign a separate lease agreement.

14 (4) Supportive housing funded under the program shall comply
15 with the following requirements:

16 (A) A majority of the services shall be provided onsite, and any
17 offsite services shall be easily accessible to tenants through
18 transportation.

19 (B) Each tenant shall have a tenancy support specialist that the
20 tenants knows, with a specialist-to-tenant ratio that is consistent
21 with best practices for the population served.

22 (h) (1) (A) Except as otherwise provided in subparagraph (B),
23 each recipient shall expend moneys allocated to it under the
24 program according to the following schedule:

25 (i) For the first award cycle, the recipient shall contractually
26 obligate 100 percent of the amount allocated to it pursuant to this
27 chapter within three years, and expend the entirety of that amount
28 within four years, of entering into the initial grant agreement.

29 (ii) For each award cycle after the first award cycle, each
30 recipient shall contractually obligate 100 percent of the amount
31 allocated to it pursuant to this chapter within one year, and expend
32 the entirety of that amount within two years.

33 (B) Notwithstanding the time periods specified in subparagraph
34 (A), moneys used to provide a capitalized operating subsidy reserve
35 for permanent housing shall be expended over a period of at least
36 17 years.

37 (2) In the case of a recipient that is a developer receiving an
38 allocation pursuant to Section 13060, if the recipient fails to
39 obligate or expend that allocation within the time periods specified

1 *in paragraph (1), any moneys awarded to the recipient shall revert*
2 *to the fund.*

3 (3) (A) *In the case of a recipient that is a county and continuum*
4 *of care applying jointly pursuant to Section 13058 or a large city*
5 *applying pursuant to Section 13059, if a recipient fails to obligate*
6 *or expend moneys allocated to it, uses grant moneys allocated to*
7 *it under this chapter for a purpose not authorized under the*
8 *program, or fails to apply for an allocation of grant funds within*
9 *the initial award cycle under the program, the council shall do*
10 *either of the following:*

11 (i) *Select an alternative entity to administer that recipient's*
12 *allocation through a competitive application process, in*
13 *accordance with the requirements of subparagraph (C).*

14 (ii) *Solely establish the performance outcomes and program*
15 *priorities for the recipient jurisdiction, consistent with the*
16 *requirements and purposes of this chapter, and work with local,*
17 *regional, or statewide public entities to administer the recipient's*
18 *allocation on behalf of the recipient.*

19 (B) *If the council determines that there is no alternative entity*
20 *that can effectively administer a recipient's allocation, any moneys*
21 *previously allocated to that recipient and not expended shall revert*
22 *to the fund for further allocation to other recipients in accordance*
23 *with this chapter.*

24 (C) *An alternative entity selected pursuant to clause (i) of*
25 *subparagraph (A) shall be a public entity or a nonprofit entity*
26 *with relevant experience.*

27 (D) (i) *An alternative entity selected pursuant to clause (i) of*
28 *subparagraph (A) shall administer a recipient's allocation*
29 *pursuant to this paragraph for a minimum of two grant cycles after*
30 *entering into a grant agreement.*

31 (ii) *After the second grant cycle administered by an alternative*
32 *entity, the council may reinstate the original recipient to administer*
33 *moneys allocated in subsequent grant cycles if, in the council's*
34 *judgment, the recipient has demonstrated the capability to*
35 *effectively administer those moneys consistent with the purposes*
36 *of this chapter. The council shall develop a process by which a*
37 *recipient may seek reinstatement pursuant to this clause.*

38 (i) *The council shall establish a process for awarding recipients*
39 *under Sections 13058 and 13059 grants in subsequent years in*
40 *accordance with the following:*

1 (1) *To the extent feasible, each recipient under Sections 13058*
2 *and 13059 shall continue to receive annual allocations on a*
3 *consistent date selected by the council that aligns favorably with*
4 *other, similar allocations of state moneys, including, but not limited*
5 *to, allocations of tax credits by the California Tax Credit Allocation*
6 *Committee.*

7 (2) *If a city that is not a large city at the time of the initial*
8 *allocation subsequently becomes a large city and meets the*
9 *threshold criteria under the program after the first year of*
10 *allocations pursuant to this chapter, the council shall revise the*
11 *amount of annual allocations to recipients under Section 13059*
12 *at least 180 days, but no more than one year, after the date on*
13 *which the city establishes eligibility under this chapter. Consistent*
14 *with the requirements of this chapter, the council may establish a*
15 *revised formula that minimizes the impact on existing recipients.*

16 (j) *If deemed appropriate or necessary, the council shall request*
17 *the repayment of funds from a recipient or pursue any other*
18 *remedies available by law for failure to comply with the*
19 *requirements of this chapter.*

20 (k) *The council shall identify any properties, including blighted*
21 *or vacant properties, that may be converted to permanent housing,*
22 *and work to acquire or secure these properties in coordination*
23 *with recipients.*

24 (l) *The council and the department shall each establish an*
25 *advisory committee to inform state and local policies, practices,*
26 *and programs, which shall include individuals with relevant lived*
27 *experiences, with respect to the following:*

28 (1) *The experiences of African Americans and other*
29 *overrepresented racial and ethnic groups experiencing*
30 *homelessness.*

31 (2) *The experiences of women and female-identified persons*
32 *experiencing homelessness.*

33 (3) *The experiences of youth experiencing homelessness,*
34 *including a youth advisory board.*

35 (m) *A county and continuum of care applying jointly pursuant*
36 *to Section 13058 may elect in the grant agreement to request that*
37 *the State Department of Social Services act as a fiscal agent in*
38 *contracting with local agencies or nonprofit organizations*
39 *providing the housing and housing-based services described in*
40 *this chapter. If so requested pursuant to this subdivision, the State*

1 Department of Social Services shall act as a fiscal agent on behalf
2 of the jointly applying county and continuum of care in exchange
3 for a percentage of the allocation to the county and continuum of
4 care for administrative costs under Section 13058, as determined
5 by the State Department of Social Services.

6 (n) All projects, including interim interventions, funded under
7 the program shall comply with all applicable state laws governing
8 building safety and habitability.

9 (o) Each recipient and subrecipient shall comply with the core
10 components of Housing First described in subdivision (b) of Section
11 8255.

12 (p) The council shall not require recipients to submit invoices
13 for payment, and shall fund the entire grant awarded under
14 Sections 13058 or 13059, as applicable, within 60 days of notice
15 of award.

16 13057. (a) Each recipient shall annually report to the council
17 and the department, in the form and manner prescribed by the
18 council and the department, on the data reported to the United
19 States Department of Housing and Urban Development and, in
20 addition, the following information:

21 (1) The amount of fund moneys expended on each eligible
22 activity under Section 13058, 13059, or 13060, as applicable, and
23 the number of people served under the program.

24 (2) Steps taken to advance racial and gender equity within the
25 recipient's programs and services.

26 (3) Steps taken to improve systems serving the eligible
27 population.

28 (b) The council and department shall seek philanthropic funding
29 to augment funding for evaluations under this chapter.

30 (c) The council shall conduct regular monitoring and audits of
31 the activities and outcomes of recipients under Sections 13058 and
32 13059. In complying with the requirements of this subdivision, the
33 council shall develop a process for monitoring how recipients are
34 spending allocations and compliance with this chapter and whether
35 each recipient's activities are resulting in pathways to permanent
36 housing, permanent housing placements, and permanent housing
37 retention.

38 (d) Notwithstanding Section 10231.5 of the Government Code,
39 no later than January 1, 2024, and every fifth January 1 thereafter,
40 the council shall evaluate the outcomes of the program and submit

1 a report documenting that evaluation to the Assembly Committee
2 on Housing and Community Development and the Senate
3 Committee on Housing in compliance with Section 9795 of the
4 Government Code. The evaluation shall include, but not be limited
5 to, the following:

6 (1) Data reported by recipients pursuant to this section,
7 including data on the number of people served and the number of
8 participants accessing permanent housing.

9 (2) The status of coordinated entry systems and training or
10 capacity building programs across a sample of geographically
11 diverse communities.

12 (3) Innovations developed to reduce exits from institutional
13 settings to homelessness and the outcomes of these innovations.

14 (4) The progress of recipient coordination and collaboration
15 and housing stability outcomes.

16 (5) Any agreements reached and coordination brokered between
17 jointly applying counties and continuums of care and cities to use
18 funds in a consistent manner, to prioritize specific populations
19 jointly, to scale up interventions by working across regions, and
20 to offer housing and housing-based services.

21 (6) The extent to which racial and ethnic demographic groups
22 of persons overrepresented in the homeless population are served
23 under the program, including housing opportunities, housing
24 placements, and housing retention.

25 (7) The extent to which women and female-identified people are
26 served under the program, including access to housing
27 opportunities, housing placements, and housing retention.

28 (8) To the extent feasible, impacts on other state programs,
29 including, but not limited to, the utilization of acute care or skilled
30 nursing facilities funded through the Medi-Cal Act (Chapter 7
31 (commencing with Section 14000)), recidivism to prison, and
32 avoidance of foster care placements, as well as reductions or
33 avoidance of other institutional settings, among the eligible
34 population.

35 13058. (a) A county and continuum of care that submit a joint
36 application and meet the requirements of this section shall be
37 eligible to receive an allocation of moneys from the fund.

38 (b) A county and continuum of care that jointly receive an
39 allocation pursuant to this chapter may use up to 10 percent of
40 the amount of that allocation for the costs of administering the

1 allocation. For purposes of this subdivision, “costs of
2 administering” do not include costs associated with staffing to
3 provide services, data collection, or reporting or costs to
4 subrecipients to provide housing or services to the eligible
5 population. Recipients shall pay a reasonable administrative rate
6 to all subrecipients.

7 (c) (1) A county and continuum of care applying jointly for an
8 allocation shall provide the following evidence of collaboration
9 to the council:

10 (A) Either of the following:

11 (i) Evidence that the board of supervisors of the county and the
12 governing body of the continuum of care each approved the joint
13 funding plan before the submission of the application.

14 (ii) A memorandum of understanding between the chief executive
15 officer, or equivalent officer, of the county and of the continuum
16 of care that establishes the allocation plan for the use of the moneys
17 allocated under this chapter.

18 (B) Evidence of collaborative planning between the county and
19 the continuum of care, which may include, but is not limited to,
20 meeting agenda or minutes of the board of supervisors of the
21 county and the governing body of the continuum of care.

22 (2) If the geographic area of a continuum of care covers
23 territory located in more than one county, each of those counties
24 shall submit a single application that includes a plan outlining the
25 roles, functions, identified uses, and processes for
26 cross-jurisdictional housing referrals between each county.

27 (d) Recipients under this section shall use the allocation of
28 moneys provided under this chapter for one or more of the
29 following eligible activities:

30 (1) Rental assistance and master leasing for permanent housing.

31 (2) Operating subsidies for permanent housing.

32 (3) Transitional housing projects serving persons under 25
33 years of age that comply with the core components of Housing
34 First described in subdivision (b) of Section 8255.

35 (4) Incentives to landlords to provide permanent housing,
36 including, but not limited to, payment of security deposits, holding
37 fees, signing bonuses, repairs made in advance of occupancy to
38 ensure compliance with habitability standards, and contractors
39 to assist the landlord in making repairs.

1 (5) *Move-in assistance, including, but not limited to, security*
2 *deposits, utility assistance, furniture, and other household goods.*

3 (6) *Housing navigation, housing acquisition support, housing*
4 *transition, and tenancy support services to help participants move*
5 *into housing and remain stably housed, housing-based employment*
6 *services, and linkages to education.*

7 (7) *For persons at imminent risk of homelessness, homelessness*
8 *prevention, problem solving, and other rapid resolution programs*
9 *to assist these persons in becoming or remaining stably housed,*
10 *so long as these interventions are targeted to people likely to*
11 *become homeless, based on data.*

12 (8) *Systems improvements, including, but not limited to,*
13 *strengthening coordinated entry systems and assessment systems,*
14 *collaboration between city and county agencies to coordinate*
15 *resources and prevent discharges from institutional settings into*
16 *homelessness, and HMIS system and data matching advances.*

17 (9) (A) *Subject to subparagraph (B), to provide assistance to*
18 *the eligible population or persons residing in supportive housing*
19 *who require care and supervision in licensed residential facilities*
20 *due to high vulnerability and complex needs, through the*
21 *nonmedical out of home care rate for individuals without incomes*
22 *and the enhanced services rates for those with incomes.*

23 (B) *The recipient shall use no more than ___ percent of its*
24 *allocation for the activities described in this paragraph.*

25 (10) (A) *Subject to subparagraph (B), one or more of the*
26 *following:*

27 (i) *Shelter diversion and operating support for interim*
28 *interventions.*

29 (ii) *Safe parking programs, including safe parking programs*
30 *for college students experiencing homelessness.*

31 (iii) *Site improvements to congregate shelters or to convert*
32 *congregate sites to noncongregate shelter for the purposes of*
33 *complying with public health guidance during and after the*
34 *COVID-19 pandemic and other future public health emergencies*
35 *where public health officials recommend social distancing to*
36 *mitigate disease spread.*

37 (B) (i) *Except as otherwise provided in clause (ii), the recipient*
38 *shall use no more than 50 percent of its allocation in the first grant*
39 *cycle, and no more than 30 percent of each subsequent grant cycle,*
40 *for the activities described in this paragraph.*

1 (ii) *The council may waive or increase the limitation specified*
2 *in this subparagraph with respect to the activities described in*
3 *clause (i) of subparagraph (A) if the recipient demonstrates, to*
4 *the satisfaction of the council, that the recipient is funding a similar*
5 *ratio of permanent housing to interim housing units, consistent*
6 *with data and reflected in the intent of this section and the council's*
7 *guidelines.*

8 (e) *During the term of any allocation provided to a county and*
9 *continuum of care that apply jointly pursuant to this section, the*
10 *recipient shall do all of the following:*

11 (1) *Offer robust services in supportive housing, as well as*
12 *housing navigation, housing acquisition support, and housing*
13 *transition services, through a standardized contract that the county*
14 *and the continuum of care develop in collaboration with homeless*
15 *service providers, using evidence-based standards.*

16 (2) *Funnel resources through a mechanism or develop a*
17 *mechanism within 180 days of entering into a grant agreement to*
18 *combine moneys allocated under this chapter with local private*
19 *and existing local, state, and federal public moneys across the*
20 *continuum of care, the county, or a multicounty region toward*
21 *common standards for funding permanent housing, services, and,*
22 *if necessary, interim interventions.*

23 (3) *Allocate funding for rental assistance and operating*
24 *subsidies through an agency with experience administering housing*
25 *subsidies and recruiting landlords. The agency may be a housing*
26 *authority formed pursuant to the Housing Authorities Law (Chapter*
27 *1 (commencing with Section 34200) of Part 2 of Division 24 of the*
28 *Health and Safety Code), a nonprofit organization, or another*
29 *public entity that administers other moneys for purposes similar*
30 *to those described in this chapter.*

31 (4) *Adopt, and require any subrecipients to adopt, the core*
32 *components of Housing First described in subdivision (b) of Section*
33 *8255 for purposes of administering moneys allocated pursuant to*
34 *this chapter and implement low-barrier policies for interim*
35 *interventions funded under this chapter.*

36 (5) *Utilize a process for referral of participants to housing*
37 *through a coordinated entry system, or an alternative process that*
38 *ensures that persons and areas with the greatest vulnerabilities*
39 *receive priority for supportive housing, or, in the absence of an*
40 *established process, develop a plan for funding systems*

1 *improvements to create a system in compliance with this paragraph*
2 *within one year of receiving the allocation, subject to the following:*

3 (A) *If the recipient uses funding to pay for operating or services*
4 *costs of housing converted from existing hotels, motels, or*
5 *apartments, the recipient may continue to house residents of the*
6 *existing property, even if not referred through a coordinated entry*
7 *or similar system.*

8 (B) *The recipient may use funding to house participants outside*
9 *of the boundaries of the county or continuum of care, if housing*
10 *is available, the referral is based on participant choice, and the*
11 *referring county or continuum of care funds the housing and any*
12 *necessary services, or the receiving county or continuum of care*
13 *notifies the referring agency within two weeks of intent to fund the*
14 *costs of housing and any necessary services.*

15 (C) *To the extent feasible, referrals to housing should take into*
16 *account participant choice, and services should include efforts to*
17 *assist people to move into communities in which they are residing,*
18 *if consistent with participant choice, and where the participant*
19 *has access to services and community amenities.*

20 (6) *Use HMIS data for all outcomes reporting.*

21 (7) *Establish or use an existing process for training services*
22 *and property management staff in evidence-based and best*
23 *practices.*

24 (8) *Ensure that survivors of gender-based violence are able to*
25 *access housing and housing-based services.*

26 (9) *Prioritize a portion of resources to populations experiencing*
27 *homelessness who face barriers to accessing housing or who make*
28 *up a disproportionate number of people experiencing homelessness,*
29 *based on data from a needs and gaps analysis or an amendment*
30 *updating an existing needs and gaps analysis, consistent with the*
31 *following:*

32 (A) *Prioritizing specific populations for resources under this*
33 *paragraph shall not exclude serving other populations.*

34 (B) *The recipient shall ensure that prioritization pursuant to*
35 *this paragraph does not result in a disproportionate impact on*
36 *African American or indigenous populations or other persons of*
37 *color.*

38 (10) *Ensure that at least 10 percent of the amount of allocation*
39 *it receives under this chapter serves participants who are youth*

1 *experiencing homelessness, in accordance with the following*
2 *requirements:*

3 *(A) The continuum of care applying jointly with the county shall*
4 *ensure that the coordinated entry system used to assess and refer*
5 *youth to housing created with funding provided under the program*
6 *includes a youth-specific coordinated entry access point and uses*
7 *screening and assessment tools that contemplate the specific needs*
8 *of youth experiencing homelessness.*

9 *(B) Recipients and subrecipients shall offer supportive services*
10 *designed to meet the unique needs of youth experiencing*
11 *homelessness, which may include, but is not limited to, the*
12 *following:*

13 *(i) Problem-solving services to maintain existing housing.*

14 *(ii) Housing navigation and housing acquisition support.*

15 *(iii) Substance use disorder education, prevention, or treatment*
16 *services, including group supports.*

17 *(iv) Access to education and employment assistance, including,*
18 *but not limited to, literacy and graduation equivalent diploma*
19 *programs, vocational training, and supports to enroll and*
20 *participate in institutions providing secondary or postsecondary*
21 *education, including supports to applying for financial aid.*

22 *(v) Independent living skill development, economic stability,*
23 *and mobility services.*

24 *(vi) Counseling, tenancy support, and case management*
25 *services.*

26 *(vii) Screening, assessment, and treatment or referral of*
27 *behavioral and physical health care services.*

28 *(viii) Services for pregnant and parenting youth.*

29 *(ix) Services for lesbian, gay, bisexual, transgender, and*
30 *questioning youth.*

31 *(x) Family support, including family reunification, when safe*
32 *and appropriate, and engagement and intervention, when*
33 *appropriate.*

34 *(xi) Family finding services to identify appropriate family*
35 *members.*

36 *(xii) Outreach to youth who are experiencing homelessness.*

37 *(xiii) Legal representation and connection to public benefits for*
38 *which the unaccompanied homeless youth are eligible or entitled*
39 *to receive, including foster care.*

1 (C) Providers with which a recipient contracts to provide
2 services to youth in accordance with this paragraph shall
3 proactively engage youth experiencing homelessness to determine
4 which supportive services meet the needs of each participant and,
5 if appropriate, the participant’s family.

6 (D) Providers with whom recipients contract to provide services
7 to youth shall work with colleges and universities to market
8 programs to students experiencing homelessness.

9 (f) (1) Upon the request of a large city located within a recipient
10 county, that county allocate a portion of the moneys allocated to
11 it under this chapter for support services and operating subsidies
12 for supportive housing units that the large city develops, provided
13 that the county recipient obligates and uses the moneys allocated
14 to it within the time periods specified in subdivision (h) of Section
15 13056. The amount provided to a large city pursuant to this
16 paragraph shall not exceed 40 percent of the large city’s
17 proportionate share of the county’s most recent homeless
18 point-in-time count, unless the recipient county, in its discretion,
19 determines that greater amount is appropriate.

20 (2) The recipient county’s obligation to fund support services
21 and operating subsidies pursuant to this subdivision shall be
22 proportionate to the share of capital funding used for those
23 purposes from the total amount allocated to the recipient under
24 this chapter.

25 (3) Nothing in this subdivision shall be construed to require a
26 county or continuum of care to allocate moneys provided under
27 this chapter to a large city to fund services provided at a new
28 interim intervention that the city funded or created.

29 (4) Notwithstanding any other provision of this chapter, in
30 committing operating subsidies to a supportive housing project
31 funded by a large city pursuant to this subdivision, a recipient may
32 commit a capitalized operating subsidy reserve that includes at
33 least 17 years for those operating subsidies.

34 13059. (a) A large city that submits an application and meets
35 the requirements of this section shall be eligible to receive an
36 allocation from the fund.

37 (b) A large city that receives an allocation pursuant to this
38 chapter may use up to 10 percent of the amount of that allocation
39 for the costs of administering the allocation. For purposes of this
40 subdivision, “costs of administering” do not include costs

1 associated with staffing to provide services, data collection, or
2 reporting or costs to subrecipients to provide housing or services
3 to the eligible populations. Recipients shall pay a reasonable
4 administrative rate to all subrecipients.

5 (c) Recipients under this section shall use the allocation of
6 moneys provided under this chapter for one or more of the
7 following eligible activities:

8 (1) Operating subsidy reserves, capitalized over at least 17
9 years, for affordable housing projects that serve the eligible
10 population.

11 (2) Capital funds for development, acquisition, preservation,
12 or motel conversion to create either affordable housing or
13 supportive housing for the eligible population.

14 (3) Rental assistance in permanent housing.

15 (4) Transitional housing projects serving persons under 25
16 years of age that follow the core components of Housing First.

17 (5) Prevention and problem-solving.

18 (4) (A) Subject to subparagraph (B), one or more of the
19 following:

20 (i) Interim interventions based on an annual needs assessment
21 and taking into consideration commitments made over the five
22 years prior to the date of the recipient's application to shelter beds
23 that have not yet been constructed or created.

24 (ii) Site improvements to congregate shelters or to convert
25 congregate sites to noncongregate shelters for the purposes of
26 complying with public health guidance during and after the
27 COVID-19 pandemic and future public health emergencies where
28 social distancing is recommended to mitigate disease spread.

29 (iii) Outreach, engagement, and other services to assist persons
30 in connecting to permanent housing.

31 (iv) Health interventions, including, but not limited to, hygiene
32 centers.

33 (v) Storage of belongings.

34 (vi) Safe parking and overnight, warm places where persons
35 can sleep, including safe parking sites for college students
36 experiencing homelessness.

37 (B) (i) Except as otherwise provided in clause (ii), the recipient
38 shall use no more than 50 percent of its allocation in the first grant
39 cycle, and no more than 35 percent of each subsequent grant cycle,
40 for the activities described in this paragraph.

1 (ii) *The council may waive or increase the limitation specified*
2 *in this subparagraph with respect to the activities described in*
3 *clause (i) of subparagraph (A) if the recipient demonstrates, to*
4 *the satisfaction of the council, that the recipient is funding a similar*
5 *ratio of permanent housing to interim housing units, consistent*
6 *with local data on need.*

7 (d) *Any activity approved or carried out or action taken by a*
8 *large city to lease, convey, or encumber land that the large city*
9 *owns, any action taken by a large city to facilitate the lease,*
10 *conveyance, or encumbrance of land that the large city owns, or*
11 *any action taken by a large city to provide financial assistance in*
12 *furtherance of providing, or to otherwise approve or construct, a*
13 *low barrier interim intervention, affordable housing project, or*
14 *supportive housing project in the large city using moneys allocated*
15 *under this chapter shall not be subject to the California*
16 *Environmental Quality Act (Division 13 (commencing with Section*
17 *21000) of the Public Resources Code). If the large city takes any*
18 *action that is exempt from Division 13 (commencing with Section*
19 *21000) of the Public Resources Code, it shall file a notice of*
20 *exemption with the Office of Planning and Research and the clerk*
21 *of the county in which the large city is located in the manner*
22 *specified in subdivisions (b) and (c) of Section 21152 of the Public*
23 *Resources Code, except that the notice of determination required*
24 *by that section shall instead specify that the project is not subject*
25 *to Division 13 (commencing with Section 21000) of the Public*
26 *Resources Code pursuant to this subdivision.*

27 (e) *During the term of any allocation provided to a large city*
28 *that applies pursuant to this section, the recipient shall do all of*
29 *the following:*

30 (1) (A) *Refer tenants to supportive housing units through a*
31 *coordinated entry system, or an alternative process that ensures*
32 *that persons with the greatest vulnerabilities receive priority. To*
33 *the extent feasible, referrals shall take into account participant*
34 *choice, and referral services shall include efforts to place persons*
35 *in a community in which they choose to reside and have access to*
36 *community-based services and natural supports.*

37 (B) *If a recipient uses funding to pay for operating or services*
38 *costs of housing converted from existing hotels, motels, or*
39 *apartments, the recipient may continue to house residents of the*

1 existing property, even if not referred through a coordinated entry
2 or similar system.

3 (C) A recipient may use funding to house participants outside
4 of the boundaries of the city, provided that housing is available,
5 referral is based on participant choice, and the referring city funds
6 the housing and any necessary services, or the receiving city or
7 county, if within an unincorporated area, notifies the referring
8 agency within two weeks of intent to fund the costs of housing and
9 any necessary services.

10 (D) To the extent feasible, referrals to housing should take into
11 account participant choice, and services should include efforts to
12 assist people to move into communities in which they are residing,
13 if consistent with participant choice, and where the participant
14 has access to services and community amenities.

15 (2) Notwithstanding any inconsistent provision of the Permit
16 Streamlining Act (Chapter 4.5 (commencing with Section 65920)
17 of Division 1 of Title 7 of the Government Code), streamline
18 permitting for projects developed with moneys allocated under
19 this chapter to expedite the permitting and approval process to no
20 more than 180 days and provide other incentives to developers to
21 create affordable housing.

22 (3) Allocate funding through a local competitive application
23 process.

24 (4) Either of the following:

25 (A) Use HMIS data for all outcomes reporting.

26 (B) Use a coordinated entry system to enter and share data
27 across the homelessness system.

28 (5) Prioritize a portion of resources to populations experiencing
29 homelessness who face barriers to accessing housing or who make
30 up a disproportionate number of people experiencing homelessness,
31 based on data from a needs and gaps analysis or an amendment
32 updating an existing needs and gaps analysis, consistent with the
33 following:

34 (A) Prioritizing specific populations for resources under this
35 paragraph shall not exclude serving other populations.

36 (B) The recipient shall ensure that prioritization pursuant to
37 this paragraph does not result in a disproportionate impact on
38 African American or indigenous populations or other persons of
39 color.

1 (6) *Ensure that at least 10 percent of the amount of allocation*
2 *it receives under this chapter serves participants who are youth*
3 *experiencing homelessness, in accordance with the following*
4 *requirements:*

5 (A) *The large city shall ensure that the coordinated entry system*
6 *used to assess and refer youth to housing created with funding*
7 *provided under the program includes a youth-specific coordinated*
8 *entry access point and uses screening and assessment tools that*
9 *contemplate the specific needs of youth experiencing homelessness.*

10 (B) *Recipients and subrecipients shall offer supportive services*
11 *designed to meet the unique needs of youth experiencing*
12 *homelessness, which may include, but is not limited to, the*
13 *following:*

14 (i) *Problem-solving services to maintain existing housing.*

15 (ii) *Housing navigation and housing acquisition support.*

16 (iii) *Substance use disorder education, prevention, or treatment*
17 *services, including group supports.*

18 (iv) *Access to education and employment assistance, including,*
19 *but not limited to, literacy and graduation equivalent diploma*
20 *programs, vocational training, and supports to enroll and*
21 *participate in institutions providing secondary or postsecondary*
22 *education, including supports to applying for financial aid.*

23 (v) *Independent living skill development, economic stability,*
24 *and mobility services.*

25 (vi) *Counseling, tenancy support, and case management*
26 *services.*

27 (vii) *Screening, assessment, and treatment or referral of*
28 *behavioral and physical health care services.*

29 (viii) *Services for pregnant and parenting youth.*

30 (ix) *Services for lesbian, gay, bisexual, transgender, and*
31 *questioning youth.*

32 (x) *Family support, including family reunification, when safe*
33 *and appropriate, and engagement and intervention, when*
34 *appropriate.*

35 (xi) *Family finding services to identify appropriate family*
36 *members.*

37 (xii) *Outreach to youth who are experiencing homelessness.*

38 (xiii) *Legal representation and connection to public benefits for*
39 *which the unaccompanied homeless youth are eligible or entitled*
40 *to, including foster care.*

1 (C) Providers with which a recipient contracts to provide
2 services to youth in accordance with this paragraph shall
3 proactively engage youth experiencing homelessness to determine
4 which supportive services meet the needs of each participant and,
5 if appropriate, the participant's family.

6 (D) Providers with whom recipients contract to provide services
7 to youth shall work with colleges and universities to market
8 programs to students experiencing homelessness.

9 13060. (a) The department shall allocate the amount described
10 in paragraph (2) of Section 13055 in accordance with this section.
11 The department shall allocate those moneys in the same manner
12 as deferred payment loans provided under the Multifamily Housing
13 Program (Chapter 6.7 (commencing with Section 50675) of Part
14 2 of Division 31 of the Health and Safety Code). For purposes of
15 distributing grants under this section, to the extent that there is
16 any conflict between the provisions of this chapter and Chapter
17 6.7 (commencing with Section 50675) of Part 2 of Division 31 of
18 the Health and Safety Code, the provisions of this chapter shall
19 prevail.

20 (b) The department shall ensure that at least 25 percent of the
21 moneys allocated pursuant to this section are awarded to projects
22 located in unincorporated areas and cities that are not large cities.

23 (c) Moneys allocated pursuant to this section shall be available
24 for development, acquisition, rehabilitation, preservation, motel
25 conversion, and capitalized operating subsidy reserves, in
26 accordance with the following:

27 (1) Funds under this section shall be used to create affordable
28 housing for the eligible population and for target populations with
29 extremely low incomes at imminent risk of homelessness, targeted
30 based on data of likelihood to fall within homelessness.

31 (2) Projects funded under this section shall comply with the
32 quality standards set forth in subdivision (g) of Section 13056.

33 (3) The department shall impose leverage requirements to ensure
34 viability and promote the rapid development of quality housing.
35 However, these leverage requirements shall not factor into a
36 competitive score for the allocation of moneys under this section.

37 (4) A recipient may use moneys allocated under this section for
38 construction financing.

39 (5) Referrals to housing units funded through a grant under this
40 section shall be made through a coordinated entry system.

1 (d) Notwithstanding any other law, any project that uses funds
2 received under this chapter for any of the purposes specified in
3 this section shall be deemed consistent and in conformity with any
4 applicable local plan, standard, or requirement, and allowed as
5 a permitted use, within the zone in which the structure is located,
6 and shall not be subject to a conditional use permit, discretionary
7 permit, or any other discretionary review or approval.

8 SEC. 10. Section 14133.5 is added to the Welfare and
9 Institutions Code, immediately following Section 14133.45, to
10 read:

11 14133.5. (a) By January 1, 2025, the department shall seek
12 federal approval for a Medi-Cal benefit to fund all of the following
13 services for beneficiaries experiencing homelessness:

14 (1) Housing navigation and housing acquisition support
15 services.

16 (2) Tenancy transition services.

17 (3) Tenancy sustaining services.

18 (4) Housing-based employment services.

19 (b) The department shall convene a stakeholder advisory group
20 representing counties, health care consumers, and homeless
21 advocates in developing the plan.

22 (c) The department shall work with counties to determine an
23 effective process for funding the state's share of the federal medical
24 assistance percentage. Pursuant to an agreement with
25 organizations representing California counties, the department
26 may use up to 20 percent of the county-continuum allocation, as
27 set forth under Section 13058, to pay for the state's federal medical
28 assistance percentage associated with the benefit identified in
29 subdivision (a) for Medi-Cal beneficiaries experiencing
30 homelessness.

31 (d) The department shall pursue philanthropic funding to carry
32 out the administrative duties of this section. The Homeless
33 Coordinating and Financing Council may allocate a portion of
34 the administrative funds, pursuant to paragraph (1) of subdivision
35 (a) of Section 13055, to create and pursue the plan in this section,
36 and that portion shall equal no more than 1 percent of the Bring
37 California Home Fund.

38 SECTION 1. ~~The Legislature finds and declares all of the~~
39 ~~following:~~

1 (a) In January 2019, an estimated 151,278 people experienced
2 homelessness in California at a single point in time, as reported
3 by the United States Department of Housing and Urban
4 Development. This is the highest number since 2007, and
5 represented a 17-percent increase since 2018. Experts predict
6 significant increases in homelessness in 2021 resulting from the
7 COVID-19 economic downturn.

8 (b) African Americans are disproportionately represented among
9 California's homeless population. While 6.5 percent of Californians
10 identify as Black or African American, almost 40 percent of the
11 state's homeless population is African American. Indigenous
12 populations are over six times more likely to experience
13 homelessness than the general population. Latinx Californians are
14 least likely to access housing and services available in their
15 communities.

16 (c) Research suggests homeless populations are at far greater
17 risk for consequences of COVID-19. Early studies estimated people
18 experiencing homelessness are two to three times as likely to die
19 from COVID-19 than the general population. COVID-19 is putting
20 pressure on local homeless systems to open safe sites for people
21 to shelter, in noncongregant settings, to avoid the spread of
22 COVID-19.

23 (d) Homeless is a statewide crisis in California which requires
24 a statewide, comprehensive solution that meets its scale.

25 (e) While California has made significant one-time investments
26 in local homelessness solutions through the successful Home
27 Energy Assistance Program (HEAP), Homeless Housing,
28 Assistance, and Prevention (HHAP) Program, and Homekey
29 program, multi-year, predictable investments are needed to support
30 a sustained strategy.

31 (f) The state must lead in coordinating with local governments
32 and the private sector to solve homelessness and to prevent
33 discharges from institutional settings into homelessness.

34 (g) It is the intent of the Legislature to enact legislation to create
35 a comprehensive, statewide homelessness solutions program. This
36 program will fill gaps within the state's response to homelessness,
37 scale evidence-based solutions while promoting innovation to
38 move people quickly into permanent housing, establish greater
39 flexibility and a more nimble process in implementing a
40 comprehensive response to homelessness, facilitate critically

1 needed collaboration between different levels of government, foster
2 a streamlined process at the local and state levels to fund and build
3 housing opportunities more quickly, hold local governments and
4 the state accountable for achieving results, and focus on
5 evidence-based housing and housing-based services solutions and
6 long-term state and local structural changes.

7 (h) Furthermore, it is the intent of the Legislature that through
8 the adoption of these strategies, the state and local governments
9 will achieve measurable reductions in homelessness, ensuring that
10 it becomes brief, rare, and nonrecurrent.

11 (i) Furthermore, it is the intent of the Legislature to enact
12 legislation to fund this comprehensive program with new, ongoing
13 revenues of at least \$2.4 billion per year from one or more of the
14 following sources:

15 (1) An increase in the personal income tax on incomes over \$1
16 million.

17 (2) An increase in the corporate income tax to historical rates,
18 a more progressive corporate income tax, and conformity with the
19 federal Tax Cuts and Jobs Act, including the inclusion of Global
20 Intangible Low-Taxed Income (GILTI).

21 (3) Eliminating or limiting corporate tax loopholes, including
22 the water's edge election.

23 (4) Marking to market unrealized capital gains and the repeal
24 of stepped-up in basis of inherited assets.

25 SEC. 2. (a) The Bring California Home Fund is hereby created
26 in the State Treasury for the purpose of providing at least two
27 million four hundred thousand dollars (\$2,400,000) annually to
28 fund a comprehensive, statewide homeless solutions program upon
29 appropriation by the Legislature.

30 (b) The Bring California Home Fund shall contain revenues
31 derived from any of following changes to the Personal Income
32 Tax Law (Part 10 (commencing with Section 17001) of Division
33 2 of the Revenue and Taxation Code) or the Corporation Tax Law
34 (Part 11 (commencing with Section 23001) of Division 2 of the
35 Revenue and Taxation Code) that are enacted on or after the
36 effective of the date of the act adding this section:

37 (1) An increase in the personal income tax on incomes over one
38 million dollars (\$1,000,000).

39 (2) An increase in the corporate income tax to historical rates,
40 a more progressive corporate income tax, and conformity with the

- 1 federal Tax Cuts and Jobs Act, including the inclusion of Global
- 2 Intangible Low-Taxed Income (GILTI):
- 3 (3) Eliminating or limiting corporate tax loopholes, including
- 4 the water's edge election.
- 5 (4) Marking to market unrealized capital gains and the repeal
- 6 of stepped-up in basis of inherited assets.

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Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor inquiries"
- 5. City Attorney Request.
- 6. Call File No. from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Topic submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Walton, Preston

Subject:

Supporting California State Assembly Bill No. 71 (Rivas) – Bring California Home Act

The text is listed:

Resolution supporting California State Assembly Bill No. 71, Bring California Home Act, authored by Assembly Member Luz Rivas and co-authored by Assembly Members Richard Bloom, David Chiu, and Buffy Wicks.

Signature of Sponsoring Supervisor: /s/ Shamann Walton

For Clerk's Use Only