

AMENDED IN SENATE AUGUST 25, 2020

AMENDED IN SENATE AUGUST 20, 2020

AMENDED IN SENATE JULY 28, 2020

AMENDED IN SENATE JULY 21, 2020

AMENDED IN ASSEMBLY JUNE 4, 2020

AMENDED IN ASSEMBLY MAY 22, 2020

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CALIFORNIA LEGISLATURE—2019–20 REGULAR SESSION

ASSEMBLY BILL

No. 2746

**Introduced by Assembly Members Gabriel and Petrie-Norris
(Coauthors: Assembly Members Bauer-Kahan, Cooper, Fong,
Gipson, Gray, Irwin, Kiley, Low, Maienschein, Mayes, McCarty,
Nazarian, O'Donnell, Quirk-Silva, Blanca Rubio, Smith, Voepel,
Waldron)**

(Coauthor: Senator Portantino)

February 20, 2020

An act to add Chapter 3 (commencing with Section 15303) to Part 6.6 of Division 3 of Title 2 of the Government Code, relating to homelessness.

LEGISLATIVE COUNSEL'S DIGEST

AB 2746, as amended, Gabriel. Funding accountability: state funding for homelessness.

Existing law provides for various public social services programs, including, among others, the California Work Opportunity and

Responsibility to Kids (CalWORKs) program, under which each county provides cash assistance and other benefits to qualified low-income families and individuals. Existing law also provides for various funding programs under which state agencies allocate or grant funding to specified entities for purposes of addressing various issues relating to homelessness.

This bill would require a recipient, as defined, that receives state funds for specified CalWORKs programs related to homeless assistance, the Housing and Disability Income Advocacy Program, or state funds appropriated in the Budget Act of 2019 for a Whole Person Care pilot program, to submit a report containing specified information regarding the use of state funds to the appropriate agency. The bill would require the recipient to submit that report on a form and method provided by the agency annually.

This bill would require every agency to post all reports received on its internet website within 30 days of receipt and provide notice of the posting to specified offices and committees of the Legislature. The bill would also require every agency to aggregate all reports received by October 1 of every year into one report and send the report to the Department of Finance by December 1 of every year, commencing with the year 2021. The bill would also require the Department of Finance to post the aggregated report on its internet website by December 31 of every year, commencing with the year 2021, in a manner that is easily accessible by the ~~public~~ *public and provide notice of the posting to the Legislature, as provided.*

By requiring counties to provide reports relating to CalWORKs, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

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

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

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) Homelessness in California is a humanitarian, economic,
4 moral, and public health crisis requiring an urgent and coordinated
5 response from all levels of government.

6 (b) According to the 2018 Annual Homeless Assessment Report
7 to Congress, California has the nation’s highest number of
8 individuals experiencing homelessness and the highest rate of
9 unsheltered homeless.

10 (c) It is the intent of the Legislature to enact policies and direct
11 funding in a manner that will quickly, efficiently, and effectively
12 address California’s homelessness crisis, while minimizing the
13 trauma and suffering of individuals experiencing homelessness.

14 (d) It is the intent of the Legislature to ensure that there is clear
15 transparency and strong accountability for all public funding
16 appropriated to address California’s housing and homelessness
17 crisis.

18 (e) It is the intent of the Legislature to closely track and monitor
19 the use of public funding appropriated for homelessness, and to
20 collect relevant data and information about expenditures and
21 outcomes, so that policymakers can develop and refine data-driven
22 responses and ensure the best outcomes for California residents,
23 taxpayers, and individuals experiencing homelessness.

24 (f) It is the intent of the Legislature that all data and information
25 regarding homelessness funding will be made available to the
26 public in a timely fashion and in an easily accessible format.

27 SEC. 2. Chapter 3 (commencing with Section 15303) is added
28 to Part 6.6 of Division 3 of Title 2 of the Government Code, to
29 read:

30

31 CHAPTER 3. HOMELESSNESS FUNDING ACCOUNTABILITY

32

33 15303. For the purposes of this chapter, all of the following
34 definitions shall apply:

35 (a) “Agency” means the state agency *or state department*
36 allocating or granting funds to recipients for a program.

37 (b) “Program” means any of the following programs:

- 1 (1) The homeless assistance programs described in Section
- 2 11450 of the Welfare and Institutions Code.
- 3 (2) Existing or new Whole Person Care pilot programs (Article
- 4 5.5 (commencing with Section 14184) of Chapter 7 of Part 3 of
- 5 Division 9 of the Welfare and Institutions Code) supported through
- 6 the one hundred twenty million dollars (\$120,000,000) of state
- 7 funding appropriated under Provision 13 of Item 4260-101-0001
- 8 and Provision 1 of Item 4260-115-0001 of Section 2.00 of the
- 9 Budget Act of 2019 (Chapter 23 of the Statutes of 2019).
- 10 (3) Housing and Disability Income Advocacy Program (Chapter
- 11 17 (commencing with Section 18999) of Part 6 of Division 9 of
- 12 the Welfare and Institutions Code).
- 13 (c) “Housing unit” means any form of shelter, permanent
- 14 supportive housing, or affordable housing.
- 15 (d) “Recipient” means an entity *such as a city, county, or other*
- 16 *entity* that directly receives funds from an agency for purposes of
- 17 a program.
- 18 (e) “Subrecipient” means a unit of local government, a private
- 19 nonprofit or for-profit organization, or other entity that the recipient
- 20 determines is qualified to undertake eligible activities under the
- 21 program and that enters into a contract with the recipient to
- 22 undertake those eligible activities in accordance with the
- 23 requirements of the program.
- 24 15303.1. (a) (1) After receiving program funds, a recipient
- 25 shall submit, on a form and method provided by the agency, a
- 26 report to the appropriate agency that contains the following
- 27 information:
- 28 (A) Amount of funding spent as of the date of the report.
- 29 (B) Amount of funding that is remaining.
- 30 (C) Progress on the following performance measures, and others
- 31 established by the recipient and program, if any, to evaluate the
- 32 success of implementing eligible activities for the program:
- 33 (i) The number of homeless persons served.
- 34 (ii) The number of unsheltered homeless persons served, and
- 35 the average length of time spent as homeless prior to receiving
- 36 shelter or other housing through the program, if applicable.
- 37 (iii) The number of homeless persons exiting into permanent
- 38 housing from shelter or other housing received through the
- 39 program.

1 (iv) The number of persons that return to homelessness after
2 exiting shelter or housing received through the program and reasons
3 for unsuccessful exits from the program.

4 (v) The number of persons at risk of homelessness served.

5 (D) (i) The number of homeless persons served by the program
6 funds in the last year, the total number of homeless persons served
7 in all years the recipient has program funds, and a description of
8 the homeless population served.

9 (ii) The type of housing assistance provided through use of
10 program funds and the number of persons that received each type
11 of housing assistance.

12 (E) The signature of the recipient's chief executive officer, board
13 of supervisors, city council, or equivalent.

14 (F) The signature of the recipient's financial officer, treasurer,
15 or equivalent.

16 (G) Any other information the agency deems necessary or
17 appropriate.

18 (2) A recipient subject to paragraph (1) shall submit the report
19 annually.

20 (b) A recipient shall satisfy the requirements of subdivision (a)
21 if the existing reports that the agency requires provides the same
22 or substantially similar information. A recipient shall indicate what
23 information and data is provided in an existing report and where
24 it exists.

25 (c) A recipient submitting a report pursuant to subdivision (a)
26 may indicate on its submission that certain items are infeasible to
27 collect and therefore are not included in the report.

28 (d) Every agency shall post all reports received pursuant to
29 subdivision (a) on its internet website within 30 days of receipt
30 and provide notice of the posting to the Speaker of the Assembly,
31 the President pro Tempore of the Senate, the Senate Committee
32 on Housing, the Assembly Committee on Housing and Community
33 Development, the Senate Committee on Budget and Fiscal Review,
34 and the Assembly Committee on Budget.

35 (e) (1) An agency shall aggregate all reports received pursuant
36 to this chapter and by October 1 of every year into one report and
37 send the report to the Department of Finance by December 1 of
38 every year, commencing with the year 2021.

39 (2) The Department of Finance shall post the aggregated report
40 received pursuant to paragraph (1) on its internet website by

1 December 31 of every year, commencing with the year 2021, in
2 a manner that is easily accessible by the ~~public~~. *public and provide*
3 *notice of the posting to the Speaker of the Assembly, the President*
4 *pro Tempore of the Senate, the Senate Committee on Housing, the*
5 *Assembly Committee on Housing and Community Development,*
6 *the Senate Committee on Budget and Fiscal Review, and the*
7 *Assembly Committee on Budget.*

8 SEC. 3. If the Commission on State Mandates determines that
9 this act contains costs mandated by the state, reimbursement to
10 local agencies and school districts for those costs shall be made
11 pursuant to Part 7 (commencing with Section 17500) of Division
12 4 of Title 2 of the Government Code.