

**ASSEMBLY BILL**

**No. 497**

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**Introduced by Assembly Member Wieckowski**

February 15, 2011

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An act to add Chapter 11.6 (commencing with Section 50810) to Part 2 of Division 31 of the Health and Safety Code, relating to housing and community development.

LEGISLATIVE COUNSEL'S DIGEST

AB 497, as introduced, Wieckowski. Housing and community development: emergency shelters.

The federal McKinney-Vento Homeless Assistance Act of 1987 establishes various programs providing a range of services to homeless people, including the Emergency Shelter Grants Program. Under that program, state and local governments are eligible to apply for federal grant funds for distribution to local government agencies or private nonprofit organizations responsible for direct implementation of eligible activities under the program. The federal Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 amended the McKinney-Vento Homeless Assistance Act by, among other things, recasting the Emergency Shelter Grants Program as the Emergency Solutions Grant Program, and shifting more resources available under that program toward homelessness prevention.

This bill would require the Department of Housing and Community Development to adopt regulations for the distribution of the unobligated balance of federal Emergency Solutions Grant Program funds received by the state, if any, taking into account specified considerations relating to homelessness.

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

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

1 SECTION 1. Chapter 11.6 (commencing with Section 50810)  
2 is added to Part 2 of Division 31 of the Health and Safety Code,  
3 to read:

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5 CHAPTER 11.6. FEDERAL EMERGENCY SOLUTIONS GRANT  
6 PROGRAM  
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8 50810. (a) This section pertains to the unobligated balance, if  
9 any, of federal Emergency Solutions Grant Program funds received  
10 by the state.

11 (b) The Legislature finds and declares all of the following:

12 (1) The federal Homeless Emergency Assistance and Rapid  
13 Transition to Housing Act of 2009 increases the emphasis on the  
14 prevention of homelessness and provides new incentives for  
15 grantees under the federal Emergency Solutions Grant Program  
16 to facilitate rapid transitions to housing for homeless individuals.  
17 The act also calls for these federal grant moneys to be used in  
18 coordination with federal Continuum of Care programs, which are  
19 generally administered at the local level. The Department of  
20 Housing and Community Development has used these funds, in  
21 this manner, effectively for many years, and the act does not  
22 prohibit this ongoing usage of the funds.

23 (2) The National Coalition for the Homeless estimates that over  
24 1.3 million Californians are homeless. More than 133,000 men,  
25 women, and children are homeless in California on any given  
26 night. Over 390,000 California residents experience homelessness  
27 each year, meaning one in 95 Californians will experience  
28 homelessness at least once during the course of a year.

29 (3) Hate crimes and violence against the homeless have  
30 increased in California over the last few years. These acts of  
31 violence include beatings, rapes, and sexual assaults.

32 (4) The United States Conference of Mayors reports that 15  
33 percent of homeless individuals are victims of domestic violence.

34 (5) The United States Department of Veterans Affairs estimates  
35 that 107,000 veterans are homeless on any given night, and that

1 over the course of a year, approximately twice that many veterans  
2 experience homelessness. Nearly 20 percent of the homeless  
3 population is made up of veterans.

4 (6) America's homeless veterans have served in World War II,  
5 the Korean War, the Cold War, the Vietnam War, Granada,  
6 Panama, Lebanon, Afghanistan, and Iraq, among other places, and  
7 in drug eradication efforts in South America. Nearly half of  
8 homeless veterans served during the Vietnam era. Two-thirds  
9 served our country for at least three years, and one-third were  
10 stationed in a war zone.

11 (7) About 1.5 million other veterans are considered at risk of  
12 homelessness due to poverty, lack of support networks, and dismal  
13 living conditions in overcrowded or substandard housing.  
14 Approximately 55,000 veterans are homeless in California. Based  
15 on historic trends, tens of thousands of the 300,000 veterans of the  
16 Iraq and Afghanistan wars are likely to become homeless due to  
17 physical disabilities, post-traumatic stress disorder, and other  
18 service-related injuries.

19 (8) While 77 percent of homeless people nationwide are  
20 sheltered, only 30 percent of homeless Californians are sheltered.

21 (c) The Department of Housing and Community Development  
22 shall promulgate regulations for the distribution of the unobligated  
23 balance of federal Emergency Solutions Grant Program funds  
24 received by the state, if any, taking into consideration all of the  
25 following:

26 (1) The number and percentage of the state's population that is  
27 homeless.

28 (2) The number and percentage of the state's population living  
29 below the federal poverty level.

30 (3) The number and percentage of the state's population living  
31 in overcrowded conditions.

32 (4) The relative affordability of housing in various communities.

33 (5) Locally based evaluations of projects in alignment with  
34 applicable Continuum of Care Plans.

35 (d) The department shall allocate the funds according to an  
36 equitable formula that takes into account the considerations listed  
37 in subdivision (c).

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