
SENATE COMMITTEE ON HOUSING
Senator Nancy Skinner, Chair
2023 - 2024 Regular

Bill No:	AB 799	Hearing Date:	6/24/2024
Author:	Luz Rivas		
Version:	6/10/2024		
Urgency:	No	Fiscal:	Yes
Consultant:	Max Ladow		

SUBJECT: Interagency Council on Homelessness: funding: state programs.

DIGEST: This bill makes various changes to the California Interagency Council on Homelessness (Cal-ICH), including adding the Governor’s Tribal Advisor to the member list, developing and maintaining a strategic funding guide and calendar, and new data sharing and publishing requirements.

ANALYSIS:

Existing law:

- 1) Defines “Housing First” as the evidence-based model that uses housing as a tool, rather than a reward, for recovery and that centers on providing or connecting homeless people to permanent housing as quickly as possible. Housing First providers offer services as needed and requested on a voluntary basis and that do not make housing contingent on participation in services.
- 2) Establishes the California Interagency Council on Homelessness (Cal-ICH) to coordinate the State’s response to homelessness using Housing First practices with a number of goals including, but not limited to:
 - a) Creating partnerships among state agencies and departments;
 - b) Promoting systems integration to increase efficiency and effectiveness;
 - c) Coordinating existing funding and application for competitive funding.
- 3) Establishes the Secretary of the Business, Consumer Services and Housing Agency and the Secretary of the California Health and Human Services Agency (CalHHS) as co-chairs of Cal-ICH, which consists of 20 other members:
 - a) The Director of Transportation
 - b) The Director of Housing and Community Development
 - c) The Director of Social Services

- d) The Director of the California Finance Agency
 - e) The Director or the State Medicaid Director of Health Care Services
 - f) The Secretary of Veterans Affairs
 - g) The Secretary of the Department of Corrections and Rehabilitation
 - h) The Executive Director of the California Tax Credit Allocation Committee in the State Treasurer's Office
 - i) The State Public Health Officer
 - j) The Director of the California Department of Aging
 - k) The Director of Rehabilitation
 - l) The Director of State Hospitals
 - m) The Executive Director of the California Workforce Development Board
 - n) The Director of the Office of Emergency Services
 - o) A representative from the State Department of Education
 - p) A representative of the state public higher education system from one of the following:
 - i) The California Community Colleges
 - ii) The University of California
 - iii) The California State University.
 - q) The Senate Committee of Rules and the Speaker of the Assembly shall each appoint one member to the council from two different stakeholder organizations.
- 4) Requires Cal-ICH to have a public meeting at least once every quarter and authorizes Cal-ICH to invite stakeholders, members of the philanthropic community, experts, and individuals who have experienced homelessness.
- 5) Requires Cal-ICH to seek guidance from and meet, at least twice a year, with an advisory committee that include the following:
- a) A survivor of gender-based violence who formerly experienced homelessness
 - b) Representatives of local agencies or organizations that participate in the United States Department of Housing and Urban Development's Continuum of Care Program
 - c) Stakeholders with expertise in solutions to homelessness and best practices from other states
 - d) Representatives of committees of African Americans, youth, and survivors of gender-based violence
 - e) A current or formerly homeless person who lives in California
 - f) A current of formerly homeless youth who lives in California.

This bill:

- 1) Requires Cal-ICH staff to develop and regularly maintain a strategic funding guide and a calendar of new or existing funding opportunities.
- 2) Requires agencies and departments administering state programs to provide Cal-ICH updated information on new or existing funding opportunities on a quarterly basis.
- 3) Requires, beginning with fiscal year 2025-26, Cal-ICH to collect fiscal and outcome data from grantees or entities operating state programs that are required to enter data elements on individuals and families it serves for state homelessness programs, as specified, by October 1, 2026 and annually thereafter.
- 4) Requires Cal-ICH, in consultation with the respective administering state agencies or departments, to specify the data elements, entry format, and disclosure frequency of the fiscal and outcome data. Also requires this data to be aggregated and made publically available on or before January 31, 2027, and annually thereafter.
- 5) Adds the Governor's Tribal Advisor to Cal-ICH membership.

COMMENTS:

- 1) *Author's statement.* "As the author of AB 1220, which created the California Interagency Council on Homelessness, I continuously seek ways to improve our state's responses to the homelessness crisis. My efforts have included multiple bills to enhance accountability standards, ensure our state dollars are being used efficiently and effectively, and ensure our local agencies maximize their impact in their communities. AB 799 will encourage coordinated efforts among state agencies and local governments to work towards long-term, sustainable solutions to end homelessness in California."
- 2) *Cal-ICH.* Cal-ICH, formerly known as the Homeless Coordinating and Financing Council (HCFC), was created to oversee the implementation of "Housing First" policies, guidelines, and regulations to reduce the prevalence and duration of homelessness in California. Housing First is an evidence-based model that focuses on the idea that homeless individuals should be provided shelter and stability before underlying issues can be successfully addressed. Housing First utilizes a tenant screening process that promotes accepting applicants regardless of their sobriety, use of substances or participation in

services. As the state's homelessness crisis has worsened, the role of Cal-ICH has significantly increased, until recently, as was has been charged with administering two significant programs dedicated to addressing homelessness, the Homeless Emergency Aid Program (HEAP) and the Homeless Housing Assistance and Prevention Program (HHAPP).

- 3) *Homelessness Numbers.* According to the United States Interagency Council on Homelessness, chronically homeless people are people with disabilities who also experience extended or repeated episodes of homelessness. The 2020 point in time (PIT) count found that 48,812, or 40%, of individuals with chronic patterns of homelessness were in California; 84% of chronically homeless people in California were unsheltered. Nationally, 110,528 (over a quarter of all homeless individuals) were chronically homeless.¹ Notably, chronically homeless people are a subpopulation that Cal-ICH is required to quantify, and localities must address this subpopulation in local landscape analyses in order to receive HHAPP funding.
- 4) *State Auditor's Reports.* The Joint Legislative Audit Committee requested an audit of the state's homelessness funding, including an evaluation of the efforts undertaken by the State and two cities to monitor the cost-effectiveness of such spending. The auditor released both audits on April 9, 2024. In the audit of state programs, the auditor found that the "state lacks current information on the ongoing costs and outcomes of its homelessness programs, because Cal-ICH has not consistently tracked and evaluated the State's efforts to prevent and end homelessness. A significant gap in the State's ability to assess programs' effectiveness is that it does not have a consistent method for gathering information on the costs and outcomes for individual programs."²
- 5) *Cal-ICH Updated Coordination.* Last year, the Legislature moved administration of HHAPP and the Encampment Resolution Program from Cal-ICH to the Department of Housing and Community Development (HCD) in an effort to return Cal-ICH to its core mission of coordinating the state's overall response to homelessness. This bill could assist Cal-ICH in coordinating that overall strategy by requiring all relevant homelessness programs to send Cal-ICH annual cost and outcome data to determine how the state should invest resources and coordinate efforts in the response to homelessness.
- 6) *Tribal Housing Background.* California has 109 federally recognized tribes including nearly 100 small reservations and Rancherias spread out across the

¹ Henry et al. "The 2020 Annual Homeless Assessment Report (AHAR) to Congress." (US Department of Housing and Urban Development, 2021). <https://www.huduser.gov/portal/sites/default/files/pdf/2020-AHAR-Part-1.pdf>

² <https://www.auditor.ca.gov/reports/2023-102.1/index.html#chapter1>

state. Nearly 360,500 Californians identify in whole or part as American Indian and/or Native American. The rate of tribal poverty is more than twice that of the rest of California's population and one third of tribal residents live below the federal poverty rate. According to a 2015 study by California Coalition for Rural Housing, 67% of tribes cited funding homelessness as a critical need among low-income families. Nationally, the Department of Housing and Urban Development 2022 Annual Homeless Assessment Report found American Indian population to be four times more likely to be homeless than Whites and two times more likely than Latinos.

For decades, tribal communities have been excluded from benefiting from state-administered housing programs. Over time, this led to increased disparities in access to safe, affordable housing among tribal communities in California. To improve communication and consideration of the needs of tribes, Governor Edmund “Jerry” Brown issued Executive Order (EO) B-10-11 in 2011. This order established the Governor's Office of the Tribal Advisor and requires all state agencies and departments to encourage early consideration, communication, and consultation with tribes when developing legislation, guidelines, regulations, rules, or policies on matters that affect tribes and their communities.

In 2019, Governor Gavin Newsom issued EO N-15-19, which reaffirmed the previous executive order and added a formal apology to California’s First Nations for atrocities committed and discriminatory practices enacted by the State against tribal communities. This marked a major step forward in California's commitment to acknowledge past wrongdoings and build relationships with tribes. The work to explore the historical relationship between California’s First Nations and the State as well as to recommend paths forward continues through the California Truth & Healing Council

- 7) *Funding for Tribal housing and homelessness.* A bill passed in 2019, AB 1010 (Eduardo Garcia, Chapter 660), required HCD to provide technical assistance to tribal housing authorities, housing sponsors, and governmental agencies on reservations, Rancherias, and on public domain to facilitate the planning and development of housing for tribes residing in those areas. Despite passage of AB 1010, which made tribes eligible for most state housing programs, tribes and tribally designated housing entities still face serious structural obstacles to accessing and competing in these programs.

Beginning with HHAPP round 3, two percent or \$20,000,000 was set aside for tribal applicants. HHAPP rounds 4 and 5 continued this allocation, totaling

\$60,000,000 that has been or is in the process of being awarded through HHAPP for tribal grants relating to homelessness.

This bill would add a tribal advisor to Cal-ICH. While many of the agencies and departments represented at Cal-ICH have tribal liaisons, there is not currently direct tribal representation within the membership. Cal-ICH can invite any other additional stakeholders, but this bill would provide added certainty that tribal perspectives are fully considered as Cal-ICH continues to oversee direct and specific efforts to end tribal homelessness. Additionally, adding another member to the council would bring the number to 21, possibly making it more difficult for Cal-ICH to accomplish its stated goals.

- 8) *Thinking alike.* AB 2903 (Hoover, 2024), would also require agencies or departments administering homelessness-related programs to report data to Cal-ICH and for this data to be compiled and published.
- 9) *Gutted.* This bill was gut and amended on June 10th, 2024 from a bill related to homelessness financing.
- 10) *Double referral.* This bill was also referred to the Human Services Committee.

RELATED LEGISLATION:

AB 2903 (Hoover, 2024) — requires state homelessness programs to annually report cost and outcome data to Cal-ICH and for that data to be compiled and reported to the public. *This bill passed out of the Senate Housing Committee on June 18, 2024 and is pending in Human Services Committee.*

AB 2338 (Jones-Sawyer, 2024) — requires the Governor to appoint a Statewide Homelessness Coordinator within the Governor’s Office to serve as the lead person for ending homelessness in the state. *This bill passed out of the Senate Housing Committee on June 18, 2024 and is pending in Human Services Committee.*

SB 1421 (Jones, Chapter 671, Statutes of 2022) — added a current or formerly homeless person with a developmental disability to the advisory committee of Cal-ICH.

AB 1220 (Luz Rivas, Chapter 398, Statutes of 2021) — renamed the Homeless Coordinating and Financing Council to the California Interagency Council on Homelessness. It added five members to Cal-ICH: the State Public Health Officer, The Director of the California Department of Again, The Director of

Rehabilitation, The Director of State Hospitals, and the executive director of the California Workforce Development Board. It also created the advisory committee that Cal-ICH must seek guidance from.

AB 977 (Gabriel, Chapter 397, Statutes of 2021) — required HCFC, now Cal-ICH, through a statewide data system, HDIS, to coordinate all state homelessness programs entering data as specified into their local HMIS starting by July 1, 2021 and this data then being provided to specified state agencies or departments.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

POSITIONS: (Communicated to the committee before noon on Wednesday, June 19, 2024.)

SUPPORT:

Corporation for Supportive Housing
Housing California
The People Concern

OPPOSITION:

None received.

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