

AMENDED IN ASSEMBLY MAY 4, 2020

CALIFORNIA LEGISLATURE—2019–20 REGULAR SESSION

ASSEMBLY BILL

No. 3269

Introduced by Assembly Member Chiu

February 21, 2020

~~An act to add Section 10004 to the Welfare and Institutions Code, relating to public social services. An act to amend Sections 11552 and 12804 of the Government Code, and to add Sections 8257.1 and 8257.2 to, and to add Chapter 6.6 (commencing with Section 8258) to Division 8 of, the Welfare and Institutions Code, relating to homelessness.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 3269, as amended, Chiu. ~~Public social services: homeless individuals.~~ *State and local agencies: homelessness plan.*

Existing law establishes in state government the Business, Consumer Services, and Housing Agency, comprised of the Department of Consumer Affairs, the Department of Housing and Community Development, the Department of Fair Employment and Housing, the Department of Business Oversight, the Department of Alcoholic Beverage Control, the Alcoholic Beverage Control Appeals Board, the California Horse Racing Board, and the Alfred E. Alquist Seismic Safety Commission.

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. 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.

This bill, upon appropriation by the Legislature, would require the coordinating council to conduct, or contract with an entity to conduct, a statewide needs and gaps analysis to identify, among other things, state programs that provide housing or services to persons experiencing homelessness and funding required to move persons experiencing homelessness into permanent housing. The bill would authorize local governments to collaborate with the coordinating council. The bill would also require the council to seek input from the coordinating council's members on the direction of, design of data collection for, and items to be included in the statewide needs and gaps analysis. The bill would require the council to report on the analysis to specified committees in the Legislature by July 31, 2021.

This bill would state the intent of the Legislature that each state and local agency aim to reduce homelessness within its jurisdiction by 90% by December 31, 2028. The bill would require the coordinating council to set a benchmark goal in reducing homelessness by January 1, 2028, for each state and local agency subject to these provisions, based upon the needs and gaps analysis described above, and annual homelessness reduction benchmarks that progress toward the benchmark goal. The bill, on or before January 1, 2022, would require each state and local agency, as defined, to develop an actionable plan to achieve the benchmark goal set by the coordinating council. The bill would require the plan to include a description and the amount of all funding sources the state or local agency has earmarked or committed to addressing homelessness within its jurisdiction, the amount of additional funding needed, and specific actions that will be taken to reduce the number of individuals experiencing homelessness and meet the benchmark goal set by the coordinating council. The bill would require each state and local agency to submit an annual progress report to the coordinating council that details the progress and implementation of the adopted plan and any amendments proposed to the plan.

This bill would task the coordinating council with reviewing submitted plans and providing feedback and recommended revisions. The bill would require a state or local agency to either adopt those recommended revisions, or adopt findings as to why the recommended revisions are not needed. The bill would task the coordinating council with monitoring the implementation and progress of state and local agency plans. The bill would require the coordinating council to notify the state or local agency and the inspector general if the agency fails, within a reasonable time, to make progress in accordance with their plan.

This bill would establish the Office of the Housing and Homelessness Inspector General as an independent office within the Business, Consumer Services, and Housing Agency, under the supervision of the Housing and Homelessness Inspector General. The bill would require the Governor to appoint the Housing and Homelessness Inspector General, subject to confirmation by the Senate. The bill would, on and after January 1, 2022, authorize the inspector general to bring an action against a state or local agency that fails to adopt a plan or fails, within a reasonable time, to make progress in accordance with their adopted plan. The bill, if the court finds that the applicable state or local agency has not substantially complied, would authorize the Housing and Homelessness Inspector General to request the court to issue an order or judgment directing the state or local agency to substantially comply, as provided.

The bill would authorize the inspector general to impose a civil penalty on a state or local agency that is found to have deliberately and intentionally transported a homeless individual to a different jurisdiction in order to reduce the number of homeless individuals within their jurisdiction, as specified.

By requiring local agencies to develop and implement a homelessness plan, 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.

~~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, CalFresh, under which supplemental nutrition assistance benefits allocated to the state by the federal government are distributed to eligible individuals by each county, and the Medi-Cal program, under which qualified low-income individuals receive health care services. Existing law also requires each county to provide aid to its indigent residents not supported by other means, which are known as general assistance programs.~~

~~This bill would require counties and Continuums of Care to review the data contained in their Homeless Management Information Systems to determine if homeless individuals in the system receive benefits under CalWORKs, CalFresh, Medi-Cal, or general assistance. By imposing additional duties on counties, 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) *As of January 2019, California has had an estimated 151,278*
- 4 *people experiencing homelessness on any given day, as reported*
- 5 *by Continuum of Care to the United States Department of Housing*
- 6 *and Urban Development. This is the highest number since 2007,*
- 7 *and represents a 17-percent increase since 2018.*
- 8 (b) *The vast majority of homeless Californians were unsheltered,*
- 9 *which is about 71 percent and the highest rate in the nation,*
- 10 *meaning that they were living in streets, parks, or other locations*
- 11 *not meant for human habitation. In 2018, among homeless*
- 12 *veterans, California had the nation's highest share that are*
- 13 *unsheltered (67 percent), and among homeless youth, the share*
- 14 *that are unsheltered (80 percent) ranked second highest.*
- 15 (c) *As local communities work to house the unsheltered, more*
- 16 *people are falling into homelessness. Larger urban areas with*
- 17 *high numbers of people experiencing homelessness have reported*
- 18 *that more people are falling into homelessness than they are able*
- 19 *to house.*
- 20 (d) *In the City of Oakland, for every one person they are able*
- 21 *to house, two more are falling into homelessness.*

1 (e) In the County of Los Angeles, despite housing 20,000
2 homeless people in 2018, for every 133 people housed, 150 fall
3 into homelessness per day.

4 (f) In the City and County of San Francisco, for every one person
5 they are able to house, three more fall into homelessness.

6 (g) A growing percentage of the state's homeless population
7 are seniors who are experiencing homelessness for the first time.
8 Seniors who are on fixed incomes and who are severely rent
9 burdened have no potential for additional income.

10 (h) Once seniors are homeless, their health quickly deteriorates
11 and they use emergency services at a higher rate and face high
12 mortality rates.

13 (i) Fifty percent of seniors who are homeless become homeless
14 after 50 years of age.

15 (j) African Americans are disproportionately found on
16 California's streets and roughly 30 percent of the state's unhoused
17 population is Black.

18 (k) While comprehensive statewide data is lacking, local surveys
19 indicate that people living on the streets are typically from the
20 surrounding neighborhood. For example, 70 percent of the people
21 experiencing homelessness in the City and County of San Francisco
22 were housed somewhere in the city where they lost housing, while
23 only 8 percent came from out-of-state. In addition, three-quarters
24 of the homeless population of the County of Los Angeles lived in
25 the region before becoming homeless.

26 (l) About 1,300,000 California renters are considered
27 "extremely low income," making less than twenty-five thousand
28 dollars (\$25,000) per year.

29 (m) In many parts of the state, many lower income residents
30 are severely cost burdened, paying over 50 percent of their income
31 toward housing costs. One small financial setback can push these
32 individuals and families into homelessness.

33 (n) The Legislature has made the following investments in
34 affordable housing and homelessness response:

35 (1) In 2016, the Legislature passed and the voters approved
36 Proposition 63, known as the Mental Health Services Act, which
37 generates two billion dollars (\$2,000,000,000) per year for mental
38 health services that can be used for people experiencing
39 homelessness.

1 (2) In 2017, Senate Bill 2 (Chapter 364 of the Statutes of 2017)
2 established a recording fee for real estate documents that has
3 generated three hundred fifty million dollars (\$350,000,000) per
4 year since its creation. Beginning this year, 70 percent of funds
5 from the recording fee go directly to counties to use to address
6 affordable housing and homelessness.

7 (3) In 2017, the Legislature passed No Place Like Home to
8 authorize the use of two billion dollars (\$2,000,000,000) in
9 Proposition 63 revenues in bonds for supportive housing for
10 chronically homeless individuals with mental illness.

11 (4) In 2018, the Legislature passed and the voters approved
12 Proposition 1, which authorized three billion dollars
13 (\$3,000,000,000) in general fund bonds to increase the supply of
14 affordable housing around the state.

15 (5) Local governments have also passed general obligation
16 bonds to fund affordable housing, supportive housing, and
17 emergency shelters:

18 (A) In 2016, the voters of the City of Los Angeles passed
19 Measure HHH, which authorizes 1.2 billion dollars
20 (\$1,200,000,000) to fund the construction of 10,000 supportive
21 housing units.

22 (B) In 2019, the City and County of San Francisco passed
23 Proposition A, which authorized six hundred million dollars
24 (\$600,000,000) to support the creation of affordable housing.

25 (C) In 2019, the City and County of San Francisco passed
26 Proposition C, which authorizes a tax on gross receipts of business
27 with incomes of fifty million dollars (\$50,000,000) or more to fund
28 affordable housing, supportive housing, and legal assistance
29 programs.

30 (6) The Legislature has also made policy changes to allow for
31 siting and building emergency shelters, affordable housing, and
32 supportive housing:

33 (A) In 2017, the Legislature passed Senate Bill 35 (Chapter 366
34 of the Statutes of 2017), which created a streamlined process for
35 housing developments that include a percentage of affordable
36 housing.

37 (B) In 2018, the Legislature passed Assembly Bill 2162 (Chapter
38 753 of the Statutes of 2018), which established a streamlined
39 process for supportive housing developments.

1 (C) In 2018, the Legislature authorized five hundred million
2 dollars (\$500,000,000) for the Homeless Emergency Aid Program
3 to provide local governments with flexible block grant funds to
4 address their immediate homelessness challenges.

5 (D) In 2019, the Legislature passed Assembly Bill 101 (Chapter
6 159 of the Statutes of 2019), which streamlines navigation centers
7 that provide emergency shelter and services to people experiencing
8 homelessness.

9 (E) In 2019, the Legislature authorized six hundred fifty million
10 dollars (\$650,000,000) for the Homeless Housing, Assistance, and
11 Prevention Program one-time block grant that provides local
12 jurisdictions with funds to support regional coordination and
13 expand or develop local capacity to address their immediate
14 homelessness challenges.

15 (o) State and local government at all levels should be held
16 responsible for responding to homelessness and providing
17 permanent housing for the unsheltered.

18 (p) There are few other areas of important public policy where
19 government efforts to achieve a compelling societal objective are
20 voluntary.

21 (q) The state required the state's utilities and public agencies
22 to meet a timetable for increasing their use of renewable energy,
23 and the state is achieving dramatic results.

24 (r) Government at all levels should be obligated to spend
25 existing resources in the most efficient and expeditious manner to
26 reduce homelessness.

27 SEC. 2. Section 11552 of the Government Code is amended to
28 read:

29 11552. (a) Effective January 1, 1988, an annual salary of
30 eighty-five thousand four hundred two dollars (\$85,402) shall be
31 paid to each of the following:

- 32 (1) Commissioner of Business Oversight.
- 33 (2) Director of Transportation.
- 34 (3) Real Estate Commissioner.
- 35 (4) Director of Social Services.
- 36 (5) Director of Water Resources.
- 37 (6) Director of General Services.
- 38 (7) Director of Motor Vehicles.
- 39 (8) Executive Officer of the Franchise Tax Board.
- 40 (9) Director of Employment Development.

- 1 (10) Director of Alcoholic Beverage Control.
- 2 (11) Director of Housing and Community Development.
- 3 (12) Director of Alcohol and Drug Programs.
- 4 (13) Director of Statewide Health Planning and Development.
- 5 (14) Director of the Department of Human Resources.
- 6 (15) Director of Health Care Services.
- 7 (16) Director of State Hospitals.
- 8 (17) Director of Developmental Services.
- 9 (18) State Public Defender.
- 10 (19) Director of the California State Lottery.
- 11 (20) Director of Fish and Wildlife.
- 12 (21) Director of Parks and Recreation.
- 13 (22) Director of Rehabilitation.
- 14 (23) Director of the Office of Administrative Law.
- 15 (24) Director of Consumer Affairs.
- 16 (25) Director of Forestry and Fire Protection.
- 17 (26) The Inspector General pursuant to Section 6125 of the
- 18 Penal Code.
- 19 (27) Director of Child Support Services.
- 20 (28) Director of Industrial Relations.
- 21 (29) Director of Toxic Substances Control.
- 22 (30) Director of Pesticide Regulation.
- 23 (31) Director of Managed Health Care.
- 24 (32) Director of Environmental Health Hazard Assessment.
- 25 (33) Director of California Bay-Delta Authority.
- 26 (34) Director of California Conservation Corps.
- 27 (35) Director of Technology.
- 28 (36) Director of Emergency Services.
- 29 (37) Director of the Office of Energy Infrastructure Safety.
- 30 (38) *The Housing and Homelessness Inspector General.*
- 31 (b) The annual compensation provided by this section shall be
- 32 increased in any fiscal year in which a general salary increase is
- 33 provided for state employees. The amount of the increase provided
- 34 by this section shall be comparable to, but shall not exceed, the
- 35 percentage of the general salary increases provided for state
- 36 employees during that fiscal year.
- 37 *SEC. 3. Section 12804 of the Government Code is amended to*
- 38 *read:*
- 39 12804. (a) There is in the state government the Business,
- 40 Consumer Services, and Housing Agency.

1 (b) The Business, Consumer Services, and Housing Agency
2 shall consist of the following: the Department of Consumer Affairs,
3 the Department of Real Estate, the Department of Housing and
4 Community Development, the Department of Fair Employment
5 and Housing, the Department of Business Oversight, the
6 Department of Alcoholic Beverage Control, the Alcoholic Beverage
7 Control Appeals Board, the California Horse Racing Board, ~~and~~
8 the Alfred E. Alquist Seismic Safety ~~Commission~~. *Commission,*
9 *and the Office of the Housing and Homelessness Inspector General.*

10 (c) This section shall become operative on July 1, 2018.

11 *SEC. 4. Section 8257.1 is added to the Welfare and Institutions*
12 *Code, to read:*

13 *8257.1. (a) Upon appropriation by the Legislature, the*
14 *coordinating council shall do all of the following:*

15 *(1) Conduct, or contract with an entity to conduct, a statewide*
16 *needs and gaps analysis that will do all of the following:*

17 *(A) Identify programs in the state that provide housing or*
18 *services to persons experiencing homelessness and describe all of*
19 *the following for each program to the extent that data is available:*

20 *(i) The amount of funding the program receives each year and*
21 *funding sources for the program.*

22 *(ii) The number of persons the program serves each year.*

23 *(iii) The types of housing and services provided to the persons*
24 *the program serves each year.*

25 *(iv) Limitations, if any, on the length of stay for housing*
26 *programs and length of services for service programs.*

27 *(v) If applicable, reasons for the unavailability of data.*

28 *(B) Identify the total number and type of permanent housing*
29 *beds, units, or opportunities available to persons experiencing*
30 *homelessness statewide and in geographically diverse regions*
31 *across the state.*

32 *(C) Analyze the need for permanent housing opportunities,*
33 *including, but not limited to, supportive housing, rapid rehousing,*
34 *and affordable housing.*

35 *(D) Analyze the need for services to assist persons in exiting*
36 *homelessness and remaining housed.*

37 *(E) Identify the number of and types of interim interventions*
38 *available to persons experiencing homelessness in geographically*
39 *diverse regions across the state. The data shall also include, but*
40 *is not limited to, all of the following:*

- 1 (i) *The number of year-round shelter beds and the average*
- 2 *length of stay for those beds for each region.*
- 3 (ii) *The average length of stay in or use of interim interventions.*
- 4 (iii) *The exit rate from an interim intervention to permanent*
- 5 *housing.*
- 6 (F) *Analyze the need for additional interim interventions and*
- 7 *funding needed to create these interventions, taking into*
- 8 *consideration the ideal length of stay in or use of the intervention.*
- 9 (G) *Identify state-funded institutional settings that discharge*
- 10 *persons into homelessness, and the total number of persons*
- 11 *discharged into homelessness from each of those settings.*
- 12 (H) *Collect data on the numbers and demographics of persons*
- 13 *experiencing homelessness in all of the following circumstances:*
- 14 (i) *As a young adult.*
- 15 (ii) *As an unaccompanied minor.*
- 16 (iii) *As a single adult experiencing chronic homelessness and*
- 17 *nonchronic homelessness.*
- 18 (iv) *As an adult over 50 years of age.*
- 19 (v) *As a domestic violence survivor.*
- 20 (vi) *As a veteran.*
- 21 (vii) *As a person on parole or probation.*
- 22 (viii) *As a member of a family, where other members of the*
- 23 *family are also experiencing homelessness.*
- 24 (ix) *As a person experiencing chronic homelessness.*
- 25 (I) *Create a financial model that will assess needs for investment*
- 26 *in capital and for coverage of operating, rental assistance, and*
- 27 *services costs for purposes of moving persons experiencing*
- 28 *homelessness into permanent housing.*
- 29 (2) *For purposes of collecting data pursuant to paragraph (1),*
- 30 *and upon the appropriation pursuant to subdivision (a) that*
- 31 *includes coverage of costs, local government may collaborate with*
- 32 *the coordinating council to do all of the following:*
- 33 (A) *If available, share existing data from local gaps or needs*
- 34 *analyses to inform statewide data.*
- 35 (B) *Conduct a gaps and needs analysis in a sampling of up to*
- 36 *six geographically diverse regions to inform statewide data.*
- 37 (3) (A) *For purposes of collecting data pursuant to paragraph*
- 38 *(1), evaluate all available data, including, but not limited to, data*
- 39 *from other agencies and departments, statewide and local homeless*
- 40 *point-in-time counts and housing inventory counts, and available*

1 statewide information on the number or rate of persons exiting
2 state-funded institutional settings into homelessness.

3 (B) To the extent specific data is unavailable for purposes of
4 subparagraph (A), the council may calculate estimates based on
5 national or local data. The council shall only use data that meets
6 either of the following requirements:

7 (i) The data is from an evaluation or study from a third-party
8 evaluator or researcher and is consistent with data from
9 evaluations or studies from other third-party evaluators or
10 researchers.

11 (ii) A federal agency cites and refers to the data as
12 evidence-based.

13 (4) Seek input from the council’s members on the direction of,
14 design of data collection for, and items to be included in the
15 analysis conducted pursuant to paragraph (1).

16 (5) Report on the final needs and gaps analysis by July 31, 2021,
17 to the Assembly Committee on Housing and Community
18 Development, the Assembly Committee on Budget, Senate
19 Committee on Housing, and Senate Committee on Budget and
20 Fiscal Review. The report submitted pursuant to this paragraph
21 shall comply with Section 9795 of the Government Code.

22 (b) For purposes of this section, the following definitions apply:

23 (1) “Chronic homelessness” has the same definition as that in
24 Section 578.3 of Title 24 of the Code of Federal Regulations, as
25 that section read on January 1, 2020.

26 (2) “Interim interventions” include, but are not limited to,
27 year-round shelter beds, recuperative care beds, and motel
28 vouchers.

29 (3) “State-funded institutional settings” include, but are not
30 limited to, justice, juvenile justice, child welfare, and health care
31 settings.

32 (4) “Young adult” means a person 18 to 24 years of age,
33 inclusive.

34 SEC. 5. Section 8257.2 is added to the Welfare and Institutions
35 Code, to read:

36 8257.2. (a) Notwithstanding any other law, for purposes of
37 designing, collecting data for, and approving the needs and gaps
38 analysis described in Section 8257.1, a state department or agency
39 that has a member on the coordinating council shall, within 180
40 days of a request for data pertaining to that state department or

1 agency, provide to the council, or the entity conducting the
2 analysis, the requested data, including, but not limited to, the
3 number or rate of persons exiting state-funded institutional settings
4 into homelessness.

5 (b) The state department or agency shall remove any personally
6 identifying data provided pursuant to subdivision (a), if any.

7 (c) For purposes of this section, the following definitions apply:

8 (1) "Personally identifying information" has the same meaning
9 as that in Section 1798.79.8 of the Civil Code.

10 (2) "State-funded institutional settings" include, but are not
11 limited to, justice, juvenile justice, child welfare, and health care
12 settings.

13 SEC. 6. Chapter 6.6 (commencing with Section 8258) is added
14 to Division 8 of the Welfare and Institutions Code, to read:

15
16 CHAPTER 6.6. HOUSING AND HOMELESSNESS INSPECTOR
17 GENERAL
18

19 8258. For purposes of this chapter:

20 (a) "Coordinating council" means the Homeless Coordinating
21 and Financing Council established pursuant to Section 8257.

22 (b) "Inspector general" means the Housing and Homelessness
23 Inspector General.

24 (c) "Local agency" means a city, county, or city and county.

25 (d) "Office" means Office of the Housing and Homelessness
26 Inspector General.

27 (e) "State department or agency" means state agency or
28 department that administers a state program to address
29 homelessness.

30 8258.1. (a) There is in state government the Office of the
31 Housing and Homelessness Inspector General as an independent
32 office within the Business, Consumer Services, and Housing
33 agency. The office shall be under the supervision of the Housing
34 and Homelessness Inspector General.

35 (b) The inspector general shall be appointed by, and hold office
36 at the pleasure of, the Governor. The appointment of the inspector
37 general is subject to confirmation by the Senate.

38 (c) The inspector general shall receive an annual salary as set
39 forth in Section 11552 of the Government Code.

1 (d) *The inspector general shall have all of the following*
2 *responsibilities:*

3 (1) *Oversee the implementation of this chapter.*

4 (2) *Monitor the implementation and progress of state and local*
5 *agency plans adopted pursuant to Section 8258.3.*

6 (3) *Provide technical assistance to state and local agencies in*
7 *complying with this chapter.*

8 (4) *Audit state and local agencies to determine compliance with*
9 *adopted plans.*

10 (5) *Bring actions against a state or local agency to compel*
11 *compliance with their respective adopted plans pursuant to Section*
12 *8258.3.*

13 (6) *Investigate complaints and issue civil penalties pursuant to*
14 *Section 8258.5.*

15 8258.2. (a) *It is the intent of the Legislature that each state*
16 *and local agency shall aim to reduce homelessness in their*
17 *jurisdiction by 90 percent by December 31, 2028, based on the*
18 *2019 homeless point-in-time count pursuant to Section 578.3 of*
19 *Title 24 of the Code of Federal Regulations.*

20 (b) *It is the intent of the Legislature that a state or local agency*
21 *is only accountable under this chapter for reducing homelessness*
22 *to the extent that it has available resources to address*
23 *homelessness, and that the state or local agency should not be*
24 *required to expend additional funds not contained in its actionable*
25 *plan in order to meet the benchmark goal set by the coordinating*
26 *council.*

27 8258.3. (a) (1) *The coordinating council shall, based on the*
28 *gap analysis conducted pursuant to Section 8257.1, set a*
29 *benchmark goal to reduce homelessness for each state and local*
30 *agency. The benchmark goal shall establish a minimum percentage*
31 *reduction of homelessness goal within the state or local agency's*
32 *jurisdiction by December 31, 2028, based on the 2019 homeless*
33 *point-in-time count pursuant to Section 578.3 of Title 24 of the*
34 *Code of Federal Regulations.*

35 (2) *The coordinating council shall establish annual*
36 *homelessness reduction benchmarks for each state and local*
37 *agency that require progress toward the benchmark goal*
38 *established pursuant to paragraph (1).*

1 **(b) (1)** *On or before January 1, 2022, each state and local*
2 *agency shall develop an actionable plan to achieve the benchmark*
3 *goal set pursuant to subdivision (a).*

4 **(2)** *The plan shall include all of the following:*

5 **(A)** *A description and the amount of all funding sources that*
6 *the state or local agency has earmarked or committed to reducing*
7 *and addressing homelessness within their jurisdiction.*

8 **(B)** *The estimated amount of additional funding needed to meet*
9 *the homelessness reduction goal described in subdivision (a).*

10 **(C)** *Timelines for the state or local agency to utilize the funding*
11 *identified in subparagraph (A).*

12 **(D)** *Specific actions that the state or local agency will take to*
13 *meet the goal established in subdivision (c) by reducing the number*
14 *of individuals who are experiencing homelessness in the relevant*
15 *jurisdiction by moving individuals into permanent housing.*

16 **(3)** *A county or city developing a plan pursuant to this*
17 *subdivision shall adopt the plan by resolution.*

18 **(4)** *On or before January 1, 2022, each state and local agency*
19 *subject to this section shall transmit the adopted plan to the*
20 *coordinating council.*

21 **(5)** *Each state and local agency shall submit an annual progress*
22 *report to the coordinating council that details the progress and*
23 *implementation of the adopted plan and any amendments proposed*
24 *to the plan. Amendments to a plan shall be reviewed by the*
25 *coordinating council pursuant to subdivision (c).*

26 **(c) (1)** *Upon receipt of a plan adopted pursuant to subdivision*
27 *(b), the coordinating council shall review the plan and provide*
28 *feedback and recommended revisions to the state or local agency.*

29 **(2)** *A state or local agency that receives recommended revisions*
30 *to their plan from the coordinating council shall either adopt the*
31 *recommended revisions, or adopt findings as to why the revisions*
32 *are not needed.*

33 **(d) (1)** *The coordinating council shall monitor the progress of*
34 *each state or local agency required to adopt and implement a plan*
35 *pursuant to subdivision (b). If the coordinating council determines*
36 *that a state or local agency has not adopted an actionable plan*
37 *pursuant to subdivision (b), or has failed within a reasonable time*
38 *after adoption of a plan to make progress in accordance with that*
39 *plan, the coordinating council shall notify the state or local agency*

1 *and the inspector general that the state or local agency is not in*
2 *substantial compliance with subdivision (b).*

3 *(2) If new resources are identified in a progress report submitted*
4 *pursuant to paragraph (5) of subdivision (b), the coordinating*
5 *council may revise a benchmark goal established pursuant to*
6 *subdivision (a).*

7 *8258.4. (a) On or after January 1, 2022, the inspector general*
8 *may bring an action against a state or local agency to compel*
9 *compliance with Section 8258.3 pursuant to Section 1085 of the*
10 *Code of Civil Procedure. An action against a state agency pursuant*
11 *to this section shall be brought in the Superior Court of the County*
12 *of Sacramento. An action against a county pursuant to this section*
13 *shall be brought in the superior court for that county, and an action*
14 *brought against a city pursuant to this section shall be brought in*
15 *the superior court for the county in which the city is located.*

16 *(b) (1) If, in any action brought pursuant to this section, the*
17 *court finds that the applicable state or local agency has not*
18 *substantially complied with Section 8258.3, the inspector general*
19 *may request that the court issue an order or judgment directing*
20 *the state or local agency to substantially comply with this section*
21 *by taking any of the following actions:*

22 *(A) In the case of a state or local agency that has failed to adopt*
23 *an actionable plan within the time period specified in subdivision*
24 *(b) of Section 8258.3, adopt a plan in accordance with this section.*

25 *(B) Dedicate the resources identified in the plan, consistent with*
26 *applicable state or federal law, to reduce the number of individuals*
27 *who are experiencing homelessness within the jurisdiction of the*
28 *state or local agency.*

29 *(C) Coordinate with other state or local agencies to reduce the*
30 *number of individuals who are experiencing homelessness.*

31 *(D) Pool resources identified in the plan, consistent with*
32 *applicable state or federal law, with the resources of other*
33 *jurisdictions in order to address regional challenges to reducing*
34 *homelessness.*

35 *(E) Require local agencies to rezone sites to permit the*
36 *construction of housing and emergency shelters.*

37 *(F) Order a jurisdiction to establish coordinated entry points*
38 *for homeless individuals and those at imminent risk of becoming*
39 *homeless.*

1 (2) *The remedies available to a court that finds that the*
 2 *applicable state or local agency has not substantially complied*
 3 *with Section 8258.3 shall be limited to those described in*
 4 *paragraph (1).*

5 (3) *If the court issues an order or judgment pursuant to*
 6 *paragraph (1), it shall retain jurisdiction for no more than 12*
 7 *months to ensure that its order or judgment is carried out.*

8 (4) *An order or judgment of the court pursuant to paragraph*
 9 *(1) may be reviewed in the manner prescribed in Title 13*
 10 *(commencing with Section 901) of Part 2 of the Code of Civil*
 11 *Procedure. Notwithstanding any other law, an appeal pursuant*
 12 *to this paragraph shall be heard on an expedited basis.*

13 8258.5. (a) *A state or local agency shall not deliberately and*
 14 *intentionally transport a homeless individual to a different*
 15 *jurisdiction in order to reduce the number of homeless individuals*
 16 *within their jurisdiction.*

17 (b) *Any person may file a complaint with the inspector general*
 18 *that a state or local agency violated this subdivision.*

19 (c) (1) *The inspector general shall investigate a complaint*
 20 *received pursuant to subdivision (a).*

21 (2) *After investigating a complaint, the inspector general shall*
 22 *impose a civil penalty on any state or local jurisdiction that is*
 23 *found to have violated subdivision (a) in an amount not to exceed*
 24 *ten thousand dollars (\$10,000) per individual transported outside*
 25 *of the jurisdiction.*

26 SEC. 7. *If the Commission on State Mandates determines that*
 27 *this act contains costs mandated by the state, reimbursement to*
 28 *local agencies and school districts for those costs shall be made*
 29 *pursuant to Part 7 (commencing with Section 17500) of Division*
 30 *4 of Title 2 of the Government Code.*

31 ~~SECTION 1. Section 10004 is added to the Welfare and~~
 32 ~~Institutions Code, to read:~~

33 ~~10004. Counties and Continuums of Care shall review the data~~
 34 ~~contained in their Homeless Management Information Systems to~~
 35 ~~determine if homeless individuals in the system receive benefits~~
 36 ~~under CalWORKs, CalFresh, Medi-Cal, or general assistance.~~

37 ~~SEC. 2. If the Commission on State Mandates determines that~~
 38 ~~this act contains costs mandated by the state, reimbursement to~~
 39 ~~local agencies and school districts for those costs shall be made~~

1 pursuant to Part 7 (commencing with Section 17500) of Division
2 4 of Title 2 of the Government Code.

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