

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

CONFERENCE COMMITTEE SUBSTITUTE

FOR ENGROSSED

HOUSE BILL NO. 1674

By: Toure and Ross of the
House

and

Horner, Hooper, Shurden
and Monson of the Senate

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to state government; amending 74 O.S. 1991, Sections 2900.1 and 2900.3, which relate to services for the homeless; adding definition; creating the Oklahoma Homeless Prevention Committee; providing for membership, officer, meetings, quorums, powers, duties and responsibilities of the Committee; requiring certain reports; requiring certain notice; specifying information to be included in the reports; requiring certain distribution of the reports; authorizing the charging of certain fees; modifying certain report requirements; providing for codification; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 74 O.S. 1991, Section 2900.1, is amended to read as follows:

Section 2900.1 A. As used in ~~this section~~ the Oklahoma Homeless Prevention Act:

1. "Comprehensive case management" means:
 - a. the assessment of the needs of an individual or family,
 - b. the development and implementation of an employability plan for the individual that accounts for family circumstances,
 - c. the coordination and monitoring of service delivery,
 - d. the evaluation of service effectiveness, and

e. the reassessment of the needs of the individual or the family.

2. "Homeless individual or family" means any person or family who:

- a. lacks a fixed, regular and adequate nighttime residence, or
- b. has as a primary nighttime residence a publicly or privately operated shelter designed to provide temporary living accommodations, or
- c. has as a primary nighttime residence a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings. The term includes those families and persons who do not have access to normal accommodations as a result of violence or the threat of violence from a cohabitant, or
- d. is in imminent danger of becoming homeless.

3. "Mentally ill person" means a mentally ill person as defined by Section 1-103 of Title 43A of the Oklahoma Statutes.

4. "Self-sufficiency program" means a job opportunity and basic skills training program designed to ensure that persons receiving housing assistance obtain the education, training, and employment that will help such persons avoid long-term dependency on such assistance.

5. "Committee" means the Oklahoma Homeless Prevention Committee, created in Section 2 of this act.

B. The Department of Human Services, the Department of Mental Health and Substance Abuse Services, the Oklahoma Department of Commerce, the Oklahoma Housing Finance Agency and any state agency with housing services may cooperate with federal government programs or any other public or private entity or person in providing housing or assistance for housing to homeless individuals or families, and mentally ill persons who are in need of housing.

C. As funds are available, all state agencies specified in this section and any other state agency with housing services, in
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accordance with state and federal law, may provide resources to local government agencies, local housing authorities or nonprofit agencies to lease vacant housing units which are subject to government control or which have been donated by any public or private entity for use by homeless individuals or families and mentally ill persons who are in need of housing. Funds available pursuant to this section shall be used to guarantee coverage of utility costs, repairs, insurance, and building and yard maintenance of leased properties. Homes which have been temporarily donated by private entities shall not be eligible for any monies so received for repairs to such homes.

D. Any agreement entered into pursuant to this section between a state agency and a local public or private nonprofit agency or housing authority shall require the local agency or authority to supervise the person to be served and secure an enforceable agreement requiring the person to be served to maintain the leased property. A violation of this agreement may result in termination of the agreement and eviction from such leased property pursuant to Section 132 of Title 41 of the Oklahoma Statutes.

E. In accordance with state and federal law, state agencies specified in this section and any other state agency with housing services may solicit government funds and grants, seek private resources, and receive and distribute private, state and federal funds to local public or private nonprofit agencies or housing authorities to provide housing or assistance for housing or housing services as provided for in this section. The local agency or authority may require the person residing in the leased property to participate in the payment of utilities, repair and maintenance to the extent possible.

F. The State of Oklahoma, or any agency or subdivision thereof, shall not be liable for utility costs, repairs, insurance, building or yard maintenance, or other costs associated with any house to which this section pertains, in excess of the amount specifically appropriated therefore, allocated thereto by

the agency or subdivision, and not encumbered for any other purpose.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2900.1a of Title 74, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created until July 1, 2000, in accordance with the Oklahoma Sunset Law, the "Oklahoma Homeless Prevention Committee". The Committee shall be composed of the following members:

1. The Director of the Oklahoma Housing Finance Agency or designee, who shall serve as Chairperson;

2. The Director of the Department of Human Services or designee;

3. The Commissioner of the Department of Mental Health and Substance Abuse Services or designee;

4. The Director of the Oklahoma Department of Commerce, or designee; and

5. The Director or designee of any other agency of the state who provides services for homeless individuals or families.

B. The Committee shall meet quarterly at the call of the Chairperson. The meetings shall comply with the Open Meeting Act. A quorum of the Committee shall consist of a majority of the members serving thereon.

C. The Committee shall have the following powers, duties and responsibilities:

1. To review the reports which were submitted by each member prior to the meeting;

2. To compile a quarterly report containing the findings and recommendations agreed upon by the majority of the members on the Committee;

3. To use the resources made available in the member's agency to provide as accurate information as possible to assist in the recommendations concerning better use of resources to provide housing services to the homeless;

4. To cooperate to the highest extent possible with each other member of the Committee and the Committee as a whole in

developing a workable plan to provide housing services to the homeless; and

5. To provide recommendations for any legislation deemed necessary to be included in the report submitted by the Chairperson to the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Governor.

SECTION 3. AMENDATORY 74 O.S. 1991, Section 2900.3, is amended to read as follows:

Section 2900.3 A. Each member of the Committee shall submit a report as specified in this section to the Chairperson upon request of the Chairperson. The Chairperson shall give notice to each member of the Committee to provide such report at least fifteen (15) days prior to each meeting. The report shall provide all information on any grants, donations, appropriated funds and any other funds received by that agency concerning providing housing services to the homeless. The report shall provide detailed information concerning the expenditure of any of the funds specified in this subsection which were expended on providing housing services to the homeless. The Chairperson shall send a copy of each report to the other members of the Committee. The Chairperson shall also provide a copy of such reports to any member of the public upon written request and the payment of any copying fee authorized by the Oklahoma Open Records Act.

B. On or before February 1 of each year, ~~each state agency participating in housing services pursuant to the provisions of the "Oklahoma Homeless Prevention Act"~~ the Chairperson of the Committee created in Section 2 of this act shall provide a written report to the Speaker of the House of Representatives, the President Pro Tempore of the Senate and the Governor specifying in detail the assistance provided, the agency or program pursuant to which such assistance was provided, ~~and~~ any funds provided to and any expenditures made from such funds provided to each agency specifically for providing housing services to the homeless, any other relevant information related to such programs, and any recommendations for legislation the Committee deems necessary for the best and most efficient housing services for the homeless.

SECTION 4. This act shall become effective July 1, 1994.

SECTION 5. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

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