

House Bill 689

By: Representatives Carpenter of the 4th, Campbell of the 35th, Hilton of the 48th, Werkheiser of the 157th, Frye of the 122nd, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 5 of Chapter 3 of Title 8 of the Official Code of Georgia Annotated,
2 relating to housing trust fund for the homeless, so as to establish a homelessness prevention
3 program; to provide for an application process and minimum standards; to provide for the
4 use of certain funds; to provide for disbursements; to require contracts and assurances; to
5 provide for definitions; to provide for related matters; to repeal conflicting laws; and for
6 other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 5 of Chapter 3 of Title 8 of the Official Code of Georgia Annotated, relating to
10 housing trust fund for the homeless, is amended by revising paragraph (5) of and adding a
11 new paragraph to Code Section 8-3-301, relating to definitions, as follows:

12 "(2.1) 'Homelessness prevention program' means a program that:

13 (A) Aims to prevent homelessness, support housing stability among low-income
14 persons, and avoid evictions for low-income persons;

15 (B) Is certified by the commission as meeting the terms and conditions established
16 under Code Section 8-3-311.1; and

17 (C) Is otherwise ineligible for certification as a residential housing project or stable
 18 housing accountability program under Code Sections 8-3-310 and 8-3-311."

19 "(5) 'Qualified sponsor' means a nonprofit, for profit, or governmental sponsor of a
 20 residential housing project, ~~or stable housing accountability program, or homelessness~~
 21 prevention program that meets the conditions of this article. Such term shall specifically
 22 include, but shall not be limited to;

23 (A) Legal services agencies that primarily provide free legal services to homeless or
 24 low-income persons;

25 (B) Providers of mediation services and resources aimed at eviction diversion and
 26 resolving dispossessory disputes for low-income persons;

27 (C) Any coalition of organizations providing a unified portal or single point of entry
 28 for receiving applications from low-income persons for emergency rental and related
 29 assistance, determining eligibility, and distributing support;

30 (D) Local local housing authorities established under Article 1 of this chapter and
 31 urban residential finance authorities established under Chapter 41 of Title 36; and

32 (E) Other organizations as the commission determines are appropriate to prevent
 33 homelessness and implement the purposes of Code Section 8-3-311.1."

34 **SECTION 2.**

35 Said article is further amended by revising paragraph (4) of Code Section 8-3-308, relating
 36 to duties of commission, as follows:

37 "(4) Accept applications for disbursements of available moneys from the trust fund for
 38 residential housing projects ~~and~~, stable housing accountability programs, and
 39 homelessness prevention programs in accordance with Code Sections 8-3-310 ~~and~~,
 40 8-3-311, and 8-3-311.1, respectively; and"

41 **SECTION 3.**

42 Said article is further amended by revising Code Section 8-3-309, relating to acceptance of
43 federal funds and disposition, as follows:

44 "8-3-309.

45 The commission may accept federal funds granted by Congress or executive order,
46 appropriations from the General Assembly, and gifts, grants, and donations from
47 individuals, private organizations, or foundations for the purposes of residential housing
48 projects or homelessness prevention programs. The commission may also accept
49 appropriations from the General Assembly, federal funds granted by Congress or executive
50 order, and gifts, grants, and donations from individuals, private organizations, or
51 foundations for the stable housing accountability programs; provided, however, that in no
52 event shall any such funds be accepted if there are conditions for the use of such funds in
53 a manner inconsistent with the provisions of this article. All funds received in this manner
54 shall be transmitted to the state treasurer for deposit in the trust fund to be disbursed as
55 other moneys in the trust fund."

56 **SECTION 4.**

57 Said article is further amended by adding a new Code section to read as follows:

58 "8-3-311.1.

59 (a) With respect to homelessness prevention programs, the commission may authorize the
60 disbursement of available money from the trust fund for any homelessness prevention
61 program sponsored by a qualified sponsor under the terms and conditions of this article.

62 (b) The commission may consult, as appropriate, with persons with varied and diverse
63 interests in housing in order to acquaint them with the trust fund and to solicit information
64 relating to preventing homelessness, supporting housing stability among low-income
65 persons, and avoiding eviction for low-income persons in ways that may not otherwise be
66 addressed by residential housing projects or stable housing accountability programs under

67 Code Sections 8-3-310 and 8-3-311, and to establish criteria for selection of homelessness
68 prevention programs.

69 (c) On or before January 1, 2026, the commission shall develop an application process for
70 qualified sponsors to apply for funding to operate a homelessness prevention program.

71 (d) On or before January 1, 2026, the commission shall publish uniform state-wide
72 minimum standards for a homelessness prevention program. At a minimum, to be certified
73 as a homelessness prevention program, the program shall build the capacity of a qualified
74 sponsor to deliver homelessness prevention services, short-term rental assistance, and
75 eviction diversion programs for low-income persons, or provide one or more of the
76 following services:

77 (A) Delivering short-term emergency rental and utilities assistance to low-income
78 persons;

79 (B) Providing legal services in representing low-income persons in dispossessory
80 proceedings;

81 (C) Providing mediation assistance through an eviction diversion program to landlords
82 and tenants who are low-income persons;

83 (D) Operating a portal or single point of entry for receiving applications for short-term
84 emergency rental assistance for low-income persons, determining eligibility, referring
85 homeless or low-income persons to organizations providing assistance for which they
86 are eligible, or providing direct assistance to such homeless or low-income persons; or

87 (E) Such other purposes as the commission determines will further the goals of this
88 program to prevent homelessness, support housing stability among low-income persons,
89 and avoid evictions for low-income persons.

90 (e) The criteria for approving an application shall include, but shall not be limited to:

91 (1) The total number of homeless or low-income persons who are likely to receive
92 assistance from the proposed homelessness prevention program;

- 93 (2) The ability of the applicant to leverage his or her own or other available money or
94 in-kind services for the benefit of the proposed homelessness prevention program;
95 (3) The geographic distribution of existing homelessness prevention programs;
96 (4) The quality of the various forms of assistance to be offered to homeless and
97 low-income persons by the proposed homelessness prevention program;
98 (5) The likelihood that the qualified sponsor will successfully fulfill the terms and
99 conditions set forth in this article and the contract between the commission and the
100 qualified sponsor; and
101 (6) Any and all other factors bearing upon the advisability and necessity of the proposed
102 homelessness prevention program.
- 103 (f) On or before January 1, 2026, the application process, minimum standards, approval
104 criteria, and available funding for homelessness prevention programs shall be published
105 and maintained on the website of the commission, which shall be hosted on the public
106 website of the Department of Community Affairs.
- 107 (g) No funds shall be disbursed to a qualified sponsor until a contract is signed for the
108 provision of the approved homelessness prevention program. Each contract shall require
109 financial assurance from the qualified sponsor for full compliance with the contract."

110 **SECTION 5.**

111 Said article is further amended by revising subsection (a) of Code Section 8-3-313, relating
112 to powers of commission, as follows:

113 "(a) The commission shall have the power to hold title to any residential housing project,
114 ~~or stable housing accountability program, or homelessness prevention program~~ financed
115 by it, but it shall not be required to do so."

116 **SECTION 6.**

117 All laws and parts of laws in conflict with this Act are repealed.