

House Bill 1396

By: Representatives Efration of the 104<sup>th</sup> and Jones of the 25<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 1 of Chapter 8 of Title 50 of the Official Code of Georgia Annotated,  
2 relating to general provisions relative to the Department of Community Affairs, so as to  
3 require certain privately funded organizations that operate a shelter or provide outreach  
4 services to homeless individuals within 1,000 feet of schools, public parks, public  
5 playgrounds, or certain child care facilities to participate in the Georgia Homeless  
6 Management Information System (HMIS); to provide violations and for noncriminal  
7 citations; to provide for exceptions; to provide for a territory of applicability; to provide for  
8 legislative findings; to provide for definitions; to provide for related matters; to repeal  
9 conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 The General Assembly finds that:

13 (1) Individuals experiencing unsheltered homelessness in metro Atlanta are entitled to  
14 compassionate, coordinated, and accountable delivery of services and are within  
15 proximity to multiple providers of such services. The state has a substantial interest in  
16 ensuring that such individuals are treated with dignity and respect and that services

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17 provided to them are delivered in a manner that promotes stability, recovery, and  
18 long-term well-being;

19 (2) Many unsheltered individuals experience co-occurring mental health disorders,  
20 substance use disorders, adverse physical health conditions, or trauma related needs  
21 requiring therapeutic intervention and structured support. The state has a compelling  
22 interest in ensuring that public resources directed toward these populations facilitate  
23 meaningful access to appropriate therapeutic assistance and that service delivery systems  
24 are coordinated to reduce duplication, fragmentation, and gaps in care;

25 (3) Effective tracking and evaluation of services provided to unsheltered homeless  
26 individuals advances the public health, safety, and general welfare of both the individuals  
27 served and the broader community. Transparent data collection and outcome  
28 measurement enable state and local authorities to assess whether services are reducing  
29 chronic homelessness, mitigating risks associated with untreated behavioral health  
30 conditions, and promoting safer and healthier communities; and

31 (4) The state appropriates substantial public funds to support homelessness outreach,  
32 housing stabilization, and behavioral health services in metro Atlanta. The state has a  
33 legitimate and compelling interest in ensuring that such appropriations are expended  
34 efficiently and effectively, that funded services produce measurable outcomes, and that  
35 data-driven oversight mechanisms are implemented to promote accountability, eliminate  
36 waste, and maximize the positive impact of taxpayer resources.

37 **SECTION 2.**

38 Article 1 of Chapter 8 of Title 50 of the Official Code of Georgia Annotated, relating to  
39 general provisions relative to the Department of Community Affairs, is amended by adding  
40 a new Code section to read as follows:

41 "50-8-19.

42 (a) As used in the Code section, the term 'outreach services' means providing medical care,  
43 clothing, food, or shelter.

44 (b)(1) Each privately funded organization that operates a shelter or provides outreach  
45 services to homeless individuals within 1,000 feet in any direction of the property of an  
46 elementary or secondary school; university, college, or technical college; child care  
47 learning center, as such term is defined in Code Section 20-1A-2; public park; or public  
48 playground shall be required to participate as an authorizing agency for purposes of the  
49 Georgia Homeless Management Information System (HMIS).

50 (2) The owner or operator of any such organization that violates this subsection shall be  
51 issued a citation by a law enforcement officer for such violation and the violation shall  
52 be deemed noncriminal.

53 (c) The provisions of subsection (b) of this Code section shall not apply to any privately  
54 funded and operated organization that provided outreach services, employment, or social  
55 services to fewer than ten individuals during the preceding 12 months.

56 (d) This Code section shall only apply to properties provided for in subsection (b) of this  
57 Code section that are located within a ten-mile radius of a municipal corporation that is  
58 located in more than one county, that levies a sales tax for the purposes of a metropolitan  
59 area system of public transportation, and that has within its boundaries an independent  
60 school system."

61 **SECTION 3.**

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