

The Senate Committee on Government Oversight offered the following substitute to HB 689:

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) The commission shall develop an application process for qualified sponsors to apply
70 for funding to operate a homelessness prevention program.

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

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

78 (2) Providing legal services in representing low-income persons in dispossessionary
79 proceedings;

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

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

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

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

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

92 (2) The ability of the applicant to leverage his or her own or other available money or
93 in-kind services for the benefit of the proposed homelessness prevention program;

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

109

SECTION 5.

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

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

115

SECTION 6.

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