

Regular Session, 2009

HOUSE BILL NO. 781

BY REPRESENTATIVE HINES

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

HOMELESS: Creates the program for homeless assistance and prevention, the position of a "homeless czar", and the Louisiana Interagency Council for the Homeless

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AN ACT

To amend and reenact R.S. 36:801 (introductory paragraph), and to enact R.S. 36:474(H) and 478(L) and Chapter 63 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2803 and 2804, relative to the Louisiana Homeless Assistance and Prevention Act; to create the program for homeless assistance and prevention within the Department of Social Services; to provide for the position of a "homeless czar" and to provide for his duties; to create the Louisiana Interagency Advisory Council for the Homeless and place it within the Department of Social Services; to provide for the council's purpose; to provide for membership; to provide for governance of the council and compensation of the members; to provide for staffing and facilities; to provide for reporting requirements; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 36:801 (introductory paragraph) is hereby amended and reenacted and R.S. 36:474(H) and 478(L) are hereby enacted to read as follows:

§474. Powers and duties of the secretary of the Department of Social Services

* * *

H. The program for homeless prevention and assistance shall be placed in the executive office of the secretary. The secretary shall appoint a "homeless czar", which position shall be responsible for and perform the services and functions of the

1 state relating to the program for homeless prevention and assistance as further
2 provided in R.S. 40:2083.

3 * * *

4 §478. Transfer of agencies and functions to Department of Social Services

5 * * *

6 L. The Louisiana Interagency Council for the Homeless (R.S. 46:2804) is
7 transferred to and hereafter placed within the Department of Social Services and
8 shall exercise and perform its powers, duties, functions, and responsibilities in the
9 manner provided for agencies transferred in accordance with the provisions of R.S.
10 36:801.

11 * * *

12 §801. Transfer; retention of functions

13 The agencies transferred by the provisions of R.S. 36:4.1(B), ~~R.S. 36:53(A),~~
14 ~~R.S. 36:409(B), R.S. 36:459(D), R.S. 36:478(K),~~ 478(L), ~~R.S. 36:509(K), R.S.~~
15 ~~36:610(K), and R.S. 36:651(C)~~ shall continue to be composed and selected as
16 provided by law; each agency shall continue to exercise all powers, duties, functions,
17 and responsibilities provided or authorized for each by the constitution or laws which
18 are in the nature of policymaking, rulemaking, licensing, regulation, enforcement,
19 or adjudication and also shall continue to exercise all advisory powers, duties, and
20 functions provided by law; each agency shall continue to administer and implement
21 all programs provided or authorized for each by law which relate to rulemaking,
22 licensing, regulation, enforcement, and adjudication; each agency shall continue to
23 be governed by the Administrative Procedure Act, in its entirety, including
24 provisions relative to adjudication proceedings, unless otherwise specifically
25 provided by law; the executive head of each such agency shall employ, appoint,
26 remove, assign, and promote such personnel as is necessary for the efficient
27 administration of such powers, duties, functions, and responsibilities and for the
28 administration and implementation of such programs, in accordance with applicable
29 civil service laws, rules, and regulations, and with policies and rules of the

1 department to which the agency is transferred, and subject to budgetary control and
2 applicable laws; except as specifically provided in Paragraphs (1), (2), and (3) below.

3 The agencies transferred as provided in this Section shall exercise the powers, duties,
4 functions, and responsibilities and shall administer and implement the programs
5 authorized in this Section independently of the secretary, the undersecretary, and any
6 assistant secretary, except that:

7 * * *

8 Section 2. Chapter 63 of Title 46 of the Louisiana Revised Statutes of 1950,
9 comprised of R.S. 46:2803 and 2804, is hereby enacted to read as follows:

10 CHAPTER 63. LOUISIANA HOMELESS ASSISTANCE AND PREVENTION ACT

11 §2803. Office for homeless assistance and prevention; creation

12 A. There is hereby established within the Department of Social Services, a
13 program for homeless assistance and prevention.

14 B. The program shall be placed within the office of the secretary and shall
15 be staffed by an individual who shall be called the "homeless czar", hereafter
16 referred to as "czar" and who shall be appointed by the secretary of the Department
17 of Social Services. The czar shall serve as the state's point person in combating
18 homelessness and shall be tasked with:

19 (1) Advising the governor and legislature on policy to prevent and reduce
20 homelessness in Louisiana.

21 (2) Working with applicable federal, state, and local agencies to ensure the
22 proper implementation of policies to assist the prevention and reduction of
23 homelessness.

24 (3) Working to increase as well as coordinate existing federal, state, and
25 private resources for affordable housing throughout the state.

26 (4) Prioritizing and coordinating funding to implement support services for
27 the homeless.

1 (5) Monitoring, assessing, and tracking Louisiana's ten year plan to reduce
2 homelessness and identifying strategies that have shown evidence to produce results
3 in other states.

4 (6) Working with local community leaders statewide to prevent and reduce
5 homelessness.

6 C. The czar shall meet at least quarterly with the Louisiana Interagency
7 Advisory Council for the Homeless as provided for in this Chapter and shall consider
8 its recommendations in the execution of his duties.

9 §2804. Louisiana Interagency Advisory Council for the Homeless; creation

10 A. There is hereby established the Louisiana Interagency Advisory Council
11 for the Homeless within the Department of Social Services, hereafter referred to as
12 "council", which shall exercise and perform its powers, duties, functions, and
13 responsibilities in the manner provided for agencies transferred in accordance with
14 the provisions of R.S. 36:801.

15 B. The purpose of the council shall be to study evidence-based practices
16 aimed at reducing and preventing homelessness and to recommend a ten-year
17 comprehensive strategy to reduce homelessness. The council shall work closely with
18 the czar to implement the recommendations for the ten-year strategy.

19 C. The council shall be composed of the following members:

20 (1) The secretary of the Department of Social Services or his designee.

21 (2) The secretary of the Louisiana Workforce Commission or his designee.

22 (3) The secretary of the Department of Health and Hospitals or his designee.

23 (4) The secretary of the Department of Economic Development or his
24 designee.

25 (5) The superintendent of the Department of Education or his designee.

26 (6) The speaker of the House of Representatives or his designee.

27 (7) The president of the Senate or his designee.

28 (8) The president of the Louisiana Housing Finance Agency or his designee.

29 (9) Two representatives of local government agencies.

1 (10) Two representatives of local advocacy groups for populations which are
2 affected by homelessness.

3 (11) Three representatives of providers of services to the homeless.

4 D. Members of the council shall be appointed by the governor upon the
5 recommendation of the czar and shall serve for three-year terms. As near as
6 practicable, members of the council shall be representative of the diversity of the
7 targeted communities and shall have a proven track record in addressing the
8 challenges of affordable housing.

9 E. Members of the council shall serve without compensation.

10 F. The council shall adopt such rules and procedures as it shall find
11 necessary for the conduct of the activities and meetings of the council. No action
12 shall be taken by the council except by a favorable vote of a majority of the
13 members.

14 G. The Department of Social Services shall provide the staff and facilities
15 needed by the council to accomplish its tasks.

16 H. The council shall meet at least quarterly with the czar to present current
17 findings and recommendations for reducing and preventing homelessness. The
18 council shall work with the czar to summarize these findings in a report to be
19 submitted annually no later than February first to the governor, the speaker of the
20 House of Representatives, the president of the Senate, the chair of the House Health
21 and Welfare Committee, and the chair of the Senate Health and Welfare Committee.
22 Each annual report should discuss Louisiana's ten-year strategy to reduce
23 homelessness, the progress the state has made in implementing the ten-year strategy,
24 and recommendations for the following year. The czar shall then work with the
25 council, the office of the governor, and the legislature to implement the findings and
26 recommendations of each annual report.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Hines

HB No. 781

Abstract: Provides for the Louisiana Homeless Assistance and Prevention Act. Creates the program for homeless assistance and prevention within the Department of Social Services and establishes the position of homeless czar. Creates the Louisiana Interagency Advisory Council for the Homeless and provides for its membership and purpose.

Proposed law provides for the Louisiana Homeless Assistance and Prevention Act. Creates the program for homeless assistance and prevention within the Department of Social Services (DSS) under the office of the secretary.

Proposed law creates a position within the office of the homeless assistance and prevention within the office of the secretary to be called the "homeless czar" ("czar"), to be appointed by the secretary of DSS. Proposed law provides that the czar shall serve as the governor and legislature's primary policy advisor on issues regarding the homeless and shall oversee the coordination of resources that pertain to homelessness. Proposed law further provides that the czar shall meet quarterly with the Louisiana Interagency Advisory Council.

Proposed law creates the Louisiana Interagency Advisory Council within the Department of Social Services. Proposed law further provides how the council shall exercise and perform its powers, duties, functions and responsibilities in accordance with present law.

Proposed law provides that the purpose of the council shall be to study evidence-based practices aimed at reducing and preventing homelessness and to recommend a ten-year comprehensive strategy to reduce homelessness.

Proposed law provides for membership to be composed of the following:

- (1) The secretary of the Department of Social Services or his designee.
- (2) The secretary of the Louisiana Workforce Commission or his designee.
- (3) The secretary of the Department of Health and Hospitals or his designee.
- (4) The secretary of the Department of Economic Development or his designee.
- (5) The superintendent of the Department of Education or his designee.
- (6) The speaker of the House of Representatives or his designee.
- (7) The president of the Senate or his designee.
- (8) The president of the Louisiana Housing Finance Agency or his designee.
- (9) Two representatives of local government agencies.
- (10) Two representatives of local advocacy groups for populations which are affected by homelessness.
- (11) Three representatives of providers of services to the homeless.

Proposed law provides that members shall be appointed by the governor upon recommendation by the czar and shall be appointed for three-year terms. Members shall serve without compensation.

Proposed law requires the DSS to provide staff and facilities for the council.

Proposed law requires the council to work with the czar to submit annual reports including the status of the implementation of the ten-year strategy to prevent and reduce homelessness and their recommendations for the following year. The council shall submit the annual report to the governor, the speaker of the House of Representatives, the president of the Senate, the chair of the House Health and Welfare Committee, and the chair of the Senate Health and Welfare Committee. Proposed law requires the czar to work the council, the office of the governor, and the legislature to implement the findings and recommendations of the annual report.

(Amends R.S. 36:801(intro.para.); Adds R.S. 36:474(H) and 478(L) and R.S. 46:2803 and 2804)