

Clerk's Note: The Council's amendment to lines 142-145 of the bill was not included in the enacted bill.

Bill No. 7-20
Concerning: Interagency Commission on Homelessness – Membership and Duties
Revised: 06/22/2020 Draft No. 5
Introduced: February 25, 2020
Enacted: July 21, 2020
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

Lead Sponsors: Councilmembers Glass, Albornoz, and Rice
Co-Sponsors: Councilmembers Jawando and Navarro, Council Vice-President Hucker, Council President Katz, and Councilmembers Friedson and Riemer

AN ACT to:

- (1) alter the membership of the Interagency Commission on Homelessness;
- (2) alter the duties of the Commission; and
- (3) generally amend the law regarding the Commission.

By amending

Montgomery County Code
Chapter 24, Health and Sanitation
Sections 24-62, 24-63, 24-65, 24-66, 24-67, and 24-68

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

1 **Sec. 1. Sections 24-62, 24-63, 24-65, 24-66, 24-67, and 24-68, are amended**
 2 **as follows:**

3 **Sec. 24-62. Legislative findings and statement of policy.**

4 (a) The County has a goal to ensure that everyone has a home in the County,
 5 and that homelessness will be rare, brief, and non-recurring. In order to
 6 achieve this goal, the County will:

- 7 (1) end homelessness among veterans;
- 8 (2) end homelessness among chronically homeless individuals;
- 9 (3) end homelessness among families with children;
- 10 (4) end homelessness among unaccompanied youth;
- 11 (5) end homelessness among seniors; and
- 12 (6) end homelessness among all individuals in the County.

13 [(a)] (b) The County Council finds that [reducing] ending and preventing
 14 homelessness [requires] require substantial coordination and cooperation
 15 among federal, state, and local governments, as well as private sector
 16 service providers and community organizations.

17 [[b)] (c) Montgomery County Continuum of Care is a group of
 18 governmental entities and community representatives that carries out the
 19 responsibilities of the Continuum of Care program established pursuant
 20 to the federal Homeless Emergency Assistance and Rapid Transition to
 21 Housing Act of 2009 (the HEARTH Act).

22 [[c)] (d) The County Council intends that the Interagency Commission on
 23 Homelessness established under this Article be constituted and function
 24 in such a manner that it may serve as the governing board of Montgomery
 25 County Continuum of Care, and in serving this function comply with
 26 applicable federal regulations governing the Continuum of Care program.

27 **24-63. Definitions.**

28 When used in this Article:

29 *[100,000 Homes Campaign* means an initiative in special needs housing
 30 that gives priority to placing the most vulnerable, chronically homeless
 31 people in permanent supportive housing through a Housing First model;]
 32 *Commission* means the Interagency Commission on Homelessness[[:]];]
 33 *Continuum of Care* means a community program, established under the
 34 HEARTH Act, to organize and deliver housing and services to meet the
 35 specific needs of people who are homeless as they move to stable housing
 36 and maximum self-sufficiency[[:]];] [and]

37 *End homelessness or ending homelessness* means:

38 [(A)] (1) reaching functional zero for an identified type of
 39 homelessness; and

40 [(B)] (2) having systems in place adequate to house all
 41 individuals entering homelessness during a specific time
 42 period.

43 *Housing First Initiative* means a [process for placing homeless people
 44 into housing that discourages imposing conditions on placement related
 45 to health, employment, or sobriety, and seeks to reduce the time in shelter
 46 or transitional programs and provide the needed supports to people in a
 47 permanent home] public policy approach to homeless assistance that:

48 [(A)] (1) prioritizes providing permanent housing to people
 49 experiencing homelessness;

50 [(B)] (2) reduces barriers to accessing housing and other key
 51 services; and

52 [(C)] (3) is guided by the theories that:

53 [(i)] (A) people need basic necessities like food and
 54 housing before attending to other needs, such as

55 employment, budgeting, or substance abuse
 56 treatment;

57 ~~[(ii)]~~ (B) client choice is valuable in housing selection
 58 and supportive service participation; and

59 ~~[(iii)]~~ (C) exercising a choice in housing is likely to
 60 make a client more successful in remaining housed
 61 and improving the client's life.

62 * * *

63 **24-65. Members.**

64 (a) The Commission has 25 members.

65 (b) The Executive must appoint the following to serve as ex officio members:

66 (1) Director of the Department of Health and Human Services or the
 67 Director's designee;

68 (2) Chief of Services to End and Prevent Homelessness of the
 69 Department of Health and Human Services or the Chief's
 70 designee;

71 [(3) Chief of Behavioral Health and Crisis Services of the Department
 72 of Health and Human Services;

73 (4) Director of the Department of Correction and Rehabilitation;

74 (5)] (3) Director of the Department of Housing and Community
 75 Affairs or the Director's designee; and

76 [(6) Assistant Chief for Field Services of the Montgomery County
 77 Police Department; and

78 (7)] (4) A representative from the Office of the County Executive.

79 (c) The Executive must invite the following to serve as ex officio members:

80 (1) A [member] Councilmember or staff member of the County
 81 Council, selected by the Council President;

- 82 (2) Executive Director of the Housing Opportunities Commission or
 83 the Executive Director’s designee; and
- 84 [(3) Director of Student Services of the Montgomery County Public
 85 Schools;
- 86 (4) The Mayor or the representative of the Mayor of the City of
 87 Gaithersburg;
- 88 (5) The Mayor or the representative of the Mayor of the City of
 89 Rockville;
- 90 (6) The Mayor or the representative of the Mayor of the City of
 91 Takoma Park;
- 92 (7) A representative of either the United States Department of
 93 Veterans Affairs or the Maryland Department of Veterans Affairs;
- 94 (8) The Montgomery County Sheriff or the representative of the
 95 County Sheriff; and
- 96 (9)] (3) A member of the County Legislative Delegation selected
 97 jointly by the Chairs of the House and Senate Delegations.
- 98 (d) The Executive must appoint [5] 4 members [that] who are representatives
 99 of [the Montgomery County Continuum of Care] government agencies.
- 100 (e) The Executive must appoint 4 members who are representatives of
 101 homeless service organizations that:
- 102 (1) prevent homelessness or assist homeless families, single adults, or
 103 youth; or
- 104 (2) help households to exit homelessness and maintain stable,
 105 permanent housing.
- 106 (f) The Executive must appoint 4 members who are representatives of
 107 private organizations that provide behavioral health, children and family

108 services, healthcare, domestic violence services, aging and senior
 109 services, disability services, or veterans' services.

110 [(e)] (g) The Executive must appoint [4 members of the public]:

111 (1) [At] at least 1 [public] member [must be] who is a homeless or
 112 formerly homeless resident of Montgomery County; [and]

113 (2) at least 1 member [must be] who is a representative of a hospital
 114 or other healthcare provider located in Montgomery County;

115 (3) at least 1 member who is a representative of a private philanthropic
 116 organization or foundation; and

117 (4) at least 1 member who is a representative of an affordable housing
 118 developer.

119 (h) The Executive must appoint 2 members of the general public who are
 120 residents of the County.

121 [(f)] (i) The term of each non-ex officio member is 3 years. If a member
 122 is appointed to fill a vacancy before a term expires, the successor serves
 123 the rest of the unexpired term.

124 (j) Recommendations by the Commission.

125 (1) The Commission may recommend to the Executive persons to
 126 serve on the Commission under subsections (d), (e), and (f).

127 (2) The Executive should appoint members under subsections (d), (e),
 128 and (f) from among the persons recommended by the Commission.

129 **24-66. Voting, officers, chairs, meetings, compensation; [subcommittees]**
 130 **committees.**

131 (a) Each member of the Commission is a voting member.

132 (b) The [Executive] Commission must [designate] elect a Chair and Vice
 133 Chair from among its members.

134 (c) The Commission must meet at least 4 times each year.

135 (d) A majority of the members of the Commission constitutes a quorum for
 136 the transaction of business.

137 ~~[(d)]~~ (e) A member serves without compensation. However, a member may
 138 request reimbursement for mileage and dependent care costs at rates
 139 established by the County.

140 ~~[(e)]~~ (f) The Commission may establish 1 or more [subcommittees]
 141 committees to assist in carrying out any function of the Commission.
 142 Any [subcommittee] committee action is not the action of the
 143 Commission and must not bind the Commission or its members. A
 144 [subcommittee] committee may ~~[[include]]~~ consult a person who is not a
 145 member of the Commission.

146 (g) The Commission must establish a governance committee to ensure
 147 effective coordination of the Continuum of Care. The governance
 148 committee must:

149 (1) be co-chaired by the Chair of the Commission and the member
 150 appointed under Section 24-65(b)(2); and

151 (2) include the member appointed under Section 24-65(b)(3) and a
 152 representative of each committee established under subsection (f).

153 **24-67. Duties.**

154 The Commission must:

155 (a) promote a community-wide goal to end and prevent homelessness;

156 (b) develop a strategic plan to prevent and [reduce] end homelessness and
 157 minimize the trauma and dislocation caused to homeless families and
 158 individuals;

159 (c) review and monitor any program that is a component of the Continuum
 160 of Care[, 100,000 Homes Campaign,] and Housing First Initiative,
 161 including:

- 162 (1) permanent housing, including permanent supportive housing and
 163 rapid re-housing;
- 164 (2) transitional housing;
- 165 (3) supportive services;
- 166 (4) homeless management information system;
- 167 (5) homelessness prevention; [and]
- 168 (6) emergency shelter; and
- 169 (7) outreach;
- 170 (d) recommend to the Executive and Council any improvements to [the
 171 Continuum of Care, including process changes, to reduce any barrier to
 172 housing and minimize the time needed to move someone from
 173 homelessness to housing] local policies to end and prevent homelessness;
- 174 (e) educate the community about homelessness, best practices to [reduce]
 175 end and prevent homelessness, resources needed to [reduce] end and
 176 prevent homelessness, and long term savings that are achieved by
 177 providing permanent stable housing; [and]
- 178 (f) recommend and promote partnerships with any private organization,
 179 business, corporation, philanthropic organization or foundation, and any
 180 municipal, state, or federal government agency to improve the County’s
 181 ability to prevent and [reduce] end homelessness; and
- 182 (g) establish procedures for the effective coordination of the Continuum of
 183 Care.

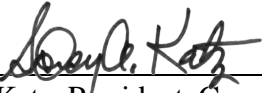
184 **24-68. Annual report.**

185 By November 30 of each year, the Commission must submit to the Executive
 186 and Council a report that:

- 187 (a) provides data and trends regarding homelessness, including data from the
188 Council of Government's Point-in-Time survey [and the 100,000 Homes
189 Campaign survey];
- 190 (b) identifies gaps in the Continuum of Care that prevent or impede the
191 County's ability to address needs identified through the review of data on
192 [homeless] homelessness;
- 193 (c) makes recommendations for the capital and operating budget [for the
194 following fiscal year];
- 195 (d) makes [recommendation] recommendations for any legislative or
196 regulatory changes needed to implement the Continuum of Care strategic
197 plan; and
- 198 (e) reports on any educational or public outreach activities undertaken during
199 the preceding year.

200 **Sec. 2. Transition.** Non-ex officio members of the Interagency Commission
201 on Homelessness on the effective date of this Act continue to serve on the Commission
202 until the end of their terms.

Approved:


 _____ 7/29/2020
 Sidney Katz, President, County Council Date

Approved:

 Marc Elrich, County Executive Date

This is a correct copy of Council action.

 Selena Mendy Singleton, Esq., Clerk of the Council Date