

1 Introduced by Committee on Human Services

2 Date:

3 Subject: Human services; housing; temporary emergency housing

4 Statement of purpose of bill as introduced: This bill proposes to establish the

5 Emergency Temporary Shelter Program to replace the General Assistance

6 Emergency Housing Program.

7 An act relating to the Emergency Temporary Shelter Program

8 It is hereby enacted by the General Assembly of the State of Vermont:

9 * * * Legislative Intent * * *

10 Sec. 1. LEGISLATIVE INTENT

11 It is the intent of the General Assembly that:

12 (1) unsheltered homelessness be eliminated in Vermont and interim

13 housing opportunities be available to provide a stable pathway to permanent

14 housing for all Vermonters experiencing homelessness;

15 (2) arbitrary time limits, night-by-night shelter, relocation between

16 interim housing sites, and other disruptions in housing stability be eliminated;

17 (3) non-congregate housing be used to the greatest extent possible;

18 (4) Vermont's emergency housing statutes, rules, policies, and practices

19 incorporate Housing First principles, trauma-informed practices, and emerging

20 best practices, including:

1 (A) immediate access to shelter without housing readiness
2 requirements; and

3 (B) voluntary supportive services designed to support housing
4 stability; and

5 (5) Vermont increase the supply of interim housing that is
6 geographically and physically accessible to individuals with a disability and
7 that addresses the range of needs among individuals with a disability.

8 * * * Emergency Temporary Shelter Program * * *

9 Sec. 2. 33 V.S.A. chapter 22 is added to read:

10 CHAPTER 22. EMERGENCY TEMPORARY SHELTER PROGRAM

11 § 2201. DEFINITIONS

12 As used in this chapter:

13 (1) “Department” means the Department for Children and Families.

14 (2) “Household” means any individual or group of individuals who live
15 together as one economic unit.

16 (3) “Statewide vacancy rate” means the Vermont-specific quarterly
17 rental vacancy rate as reported by U.S. Census Bureau.

18 § 2202. ESTABLISHMENT; EMERGENCY TEMPORARY SHELTER

19 PROGRAM

20 (a) The Emergency Temporary Shelter Program is established within the
21 Department for Children and Families for the purpose of temporarily sheltering

1 vulnerable households pursuant to the eligibility criteria in section 2204 of this
2 chapter in a manner that ensures participant dignity and leads to greater
3 stability.

4 (b) Permissible shelter provided through this program shall include
5 temporary housing provided by shelter and housing operators, including
6 shelters or temporary housing for designated populations, such as for
7 individuals experiencing domestic violence or a specific health or substance
8 use challenge.

9 (c) Notwithstanding subsection (b) of this section, the use of hotel and
10 motel rooms may be utilized only after the Department has exhausted other
11 means of providing emergency temporary shelter. The use of hotel and motel
12 rooms shall be contingent on a participating hotel or motel complying with the
13 public accommodation act pursuant to 9 V.S.A. chapter 139. Hotel and motel
14 rates shall be determined annually through the budget process.

15 § 2203. HOUSEHOLD ELIGIBILITY

16 To be eligible for the Program established in this chapter, a household shall
17 not have access to housing and have a member who:

18 (1) is 60 years of age or older;

19 (2) has a disability that can be documented by:

1 (A)(i) written verification that the disability substantially impedes the
2 individual’s ability to live independently provided by a professional licensed in
3 the State to diagnose and treat the disability; and

4 (ii) certification that the disability is of indefinite duration or
5 expected to exist on a long-term basis;

6 (B) written verification from the Social Security Administration;

7 (C) receipt of a disability check;

8 (D) documented observation by intake staff of a disability that is
9 confirmed and evidenced not later than 45 days after the application for
10 assistance; or

11 (E) other documentation approved by either the Department or the
12 U.S. Department of Housing and Urban Development;

13 (3) is a child under 18 years of age, or 18 or 19 years of age and
14 attending secondary school on a full-time basis or an equivalent level of
15 vocational or technical training;

16 (4) is in the third trimester of pregnancy;

17 (5) has experienced the death of a spouse within the last 30 days;

18 (6) has experienced a natural disaster, such as a flood, fire, or hurricane
19 within the last 30 days;

20 (7) is under a court-ordered eviction or constructive eviction due to
21 circumstances over which the household has no control; or

1 (8) is experiencing domestic violence, dating violence, sexual assault,
2 stalking, human trafficking, or other dangerous or life-threatening conditions
3 that relate to violence against the individual or a family member.

4 § 2204. MAXIMUM DAYS OF ELIGIBILITY

5 (a) The maximum number of days that a household receives shelter under
6 this Program, per 12-month period, shall be determined by the statewide
7 vacancy rate. If the statewide vacancy rate is:

8 (1) less than four percent at the household’s time of application, the
9 household shall receive a maximum of 90 sheltered days under this Program
10 for the following 12-month period; or

11 (2) is equal to or greater than four percent at the household’s time of
12 application, the household shall receive a maximum of 45 sheltered days under
13 this Program for the following 12-month period.

14 (b) No periods of ineligibility shall be imposed on the use of a household’s
15 maximum permitted sheltered days.

16 § 2205. HOUSEHOLD CONTRIBUTION AND PARTICIPATION

17 A participating household sheltered pursuant to this chapter shall:

18 (1) participate in the coordinated entry and case management processes
19 if temporary emergency shelter in excess of 14 days is required, including
20 cooperating with the Department and services providers on screening and care
21 planning; and

1 (2) contribute 30 percent of their gross household income toward the
2 cost of their shelter, unless the household can provide evidence of saving
3 towards permanent housing.

4 § 2206. APPLICATION; NOTICE; APPEALS

5 (a) Program applications shall use plain language.

6 (b) The Department shall provide written notice, and notice in the
7 household’s preferred form of communication, of appeal rights related to
8 Departmental decisions made in the course of administering the Program
9 established in this chapter.

10 (c) A household sheltered in accordance with this Program may continue to
11 remain sheltered while the appeal is pending until the household’s maximum
12 sheltered days for the current 12-month period have expired.

13 § 2207. ANNUAL REPORT

14 Annually, on or before January 15, the Department shall submit a report to
15 the House Committee on Human Services and to the Senate Committee on
16 Health and Welfare addressing the following:

17 (1) the annual total and average monthly number of households
18 participating in the Program by household size, by eligibility category, and by
19 each Agency of Human Services district;

20 (2) the number of beds available for emergency housing in each Agency
21 of Human Services district in the State, with separate reporting on the number

1 of beds available in nursing homes and residential care homes for individuals
2 whose screening indicates they could meet the clinical criteria for those
3 settings and the number of emergency beds available for individuals whose
4 screening indicates they do not meet the clinical criteria, including low-barrier
5 shelters, beds for youth, and beds for individuals who have experienced
6 domestic violence; and

7 (3) any recommendations for legislative action.

8 Sec. 3. EMERGENCY TEMPORARY SHELTER PROGRAM TASK FORCE

9 (a) Creation. There is created the Emergency Temporary Shelter Program
10 Task Force to provide recommendations to the General Assembly regarding
11 the statewide and local operation and administration of the Emergency
12 Temporary Shelter Program established in 33 V.S.A. chapter 22.

13 (b) Membership. The Task Force shall be composed of the following
14 members:

15 (1) two individuals with lived experience of homelessness in Vermont,
16 appointed by Groundworks Drop-In Center and Overnight Shelter and
17 Northeast Kingdom Community Action;

18 (2) two professionals who provide direct services to individuals
19 experiencing homelessness, appointed by Spectrum Youth and Family Services
20 and the Upper Valley Haven;

1 (3) a representative, appointed by the Vermont Housing and

2 Conservation Board;

3 (4) two representatives, appointed by the Housing and Homelessness

4 Coalition of Vermont;

5 (5) a representative, appointed by the Vermont Network Against

6 Domestic Violence;

7 (6) a representative, appointed by Vermont Care Partners;

8 (7) a representative, appointed by the Long-Term Care Crisis Coalition;

9 (8) a representative, appointed by the Vermont Alliance for Recovery

10 Residences;

11 (9) a representative, appointed by Vermont 211;

12 (10) the Chair of the House Committee on Human Services or designee;

13 (11) the Chair of Senate Committee on Health and Welfare or designee;

14 (12) the Commissioner for Children and Families or designee; and

15 (13) the Secretary of Commerce and Community Development or

16 designee.

17 (c) Powers and duties. The Task Force shall examine and provide

18 recommendations on the following:

19 (1) the process to establish a single, statewide, unified coordinated entry

20 system;

1 (2) the reorganization of roles and responsibilities within the
2 Department for Children and Families’ Office of Economic Opportunity and
3 the Division of Economic Services;

4 (3) the number and types of emergency shelter spaces needed and
5 currently available for each geographic region in the State, with a preference
6 for non-congregate shelter spaces;

7 (4) the identification of a consistent lead agency for each geographic
8 region; and

9 (5) the identification of roles and responsibilities necessary in a lead
10 agency.

11 (d) Assistance. The Task Force shall have the administrative, technical,
12 and legal assistance of the Department for Children and Families.

13 (e) Report. On or before December 1, 2024, the Task Force shall submit a
14 written report to the House Committee on Human Services and the Senate
15 Committee on Health and Welfare with its findings and any recommendations
16 for legislative action.

17 (f) Meetings.

18 (1) The Commissioner for Children and Families or designee shall call
19 the first meeting of the Task Force to occur on or before August 1, 2024.

20 (2) The Task Force shall select a chair from among its members at the
21 first meeting.

1 (3) A majority of the membership shall constitute a quorum.

2 (4) The Task Force shall cease once the report required pursuant to
3 subsection (e) of this section has been submitted to the General Assembly.

4 (g) Compensation and reimbursement.

5 (1) For attendance at meetings during adjournment of the General
6 Assembly, a legislative member of the Task Force serving in the member's
7 capacity as a legislator shall be entitled to per diem compensation and
8 reimbursement of expenses pursuant to 2 V.S.A. § 23 for not more than eight
9 meetings. These payments shall be made from monies appropriated to the
10 General Assembly.

11 (2) Other members of the Task Force not otherwise compensated for
12 their participation shall be entitled to per diem compensation and
13 reimbursement of expenses as permitted under 32 V.S.A. § 1010 for not more
14 than eight meetings. These payments shall be made from monies appropriated
15 to the Department for Children and Families.

16 Sec. 4. RULEMAKING; EMERGENCY TEMPORARY SHELTER
17 PROGRAM

18 On or before December 1, 2025, the Department for Children and Families
19 shall file an initial permanent proposed rule with the Secretary of State
20 pursuant to 3 V.S.A. § 836(a)(2) for the administration of the Emergency
21 Temporary Shelter Program established pursuant to 33 V.S.A. chapter 22.

1 Prior to the adoption of the permanent rule, the Department shall file an
2 emergency rule, which shall be deemed to have met the emergency rulemaking
3 standard in 3 V.S.A. § 844(a), to enable the operation of the Emergency
4 Temporary Shelter Program beginning on July 1, 2025.

5 * * * Sunset of General Assistance Emergency Housing Program * * *

6 Sec. 5. 33 V.S.A. § 2115 is amended to read:

7 § 2115. GENERAL ASSISTANCE PROGRAM REPORT

8 On or before September 1 of each year, the Commissioner for Children and
9 Families shall submit a written report to the Joint Fiscal Committee; the House
10 Committees on Appropriations, on General, Housing, and Military Affairs, and
11 on Human Services; and the Senate Committees on Appropriations and on
12 Health and Welfare. The report shall contain the following:

13 (1) an evaluation of the General Assistance program during the previous
14 fiscal year;

15 (2) any recommendations for changes to the program;

16 (3) a plan for continued implementation of the program; and

17 (4) ~~statewide statistics using deidentified data related to the use of~~
18 ~~emergency housing vouchers during the preceding State fiscal year, including~~
19 ~~demographic information, client data, shelter and motel usage rates, clients'~~
20 ~~primary stated cause of homelessness, and average lengths of stay in~~
21 ~~emergency housing by demographic group and by type of housing; and~~

1 ~~(5)~~ other information the Commissioner deems appropriate.

2 Sec. 6. SUNSET; GENERAL ASSISTANCE EMERGENCY HOUSING
3 PROGRAM

4 The General Assistance Emergency Housing Program shall cease to exist
5 on July 1, 2025 and all related rules shall become ineffective on that date,
6 including:

7 (1) Department for Children and Families, Emergency Housing
8 Transition Benefit (EH-100), adopted under Secretary of State emergency rule
9 filing number 23-E12 or any future identical emergency rule adopted by the
10 Department; and

11 (2) Department for Children and Families, General Assistance (CVR 13-
12 170-260) as amended by Department for Children and Families under
13 Secretary of State emergency rule filing number 23-E11 or any future identical
14 emergency rule adopted by the Department.

15 * * * Effective Dates * * *

16 Sec. 7. EFFECTIVE DATES

17 This section, Sec. 1 (legislative intent), and Sec. 3 (emergency temporary
18 shelter program task force) act shall take effect on July 1, 2024, and all
19 remaining sections shall take effect on July 1, 2025.