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H.91

Introduced by Representatives McGill of Bridport, Cole of Hartford, Cordes
of Bristol, Garofano of Essex, and Wood of Waterbury

Referred to Committee on

Date:

Subject: Human services; shelter; emergency temporary shelter

Statement of purpose of bill as introduced: This bill proposes to establish the
Emergency Temporary Shelter Program to replace the General Assistance
Emergency Housing Program.

~~An act relating to the Emergency Temporary Shelter Program~~

*An act relating to the Vermont Homeless Emergency Assistance and
Responsive Transition to Housing Program*

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

~~*** Legislative Intent ***~~

Sec. 1. LEGISLATIVE INTENT

It is the intent of the General Assembly that the Emergency Temporary
Shelter Program established in 33 V.S.A. chapter 22 is a step toward ensuring
that.

1 ~~(1) unsheltered homelessness be eliminated in Vermont and interim~~
2 ~~shelter opportunities be available to provide a stable pathway to permanent~~
3 ~~housing for all Vermonters experiencing homelessness;~~

4 ~~(2) arbitrary time limits, night-by-night shelter, relocation between~~
5 ~~interim housing sites, and other disruptions in housing stability be eliminated;~~

6 ~~(3) noncongregate housing be used to the greatest extent possible;~~

7 ~~(4) Vermont's emergency housing statutes, rules, policies, and practices~~
8 ~~incorporate Housing First principles, trauma-informed practices, and emerging~~
9 ~~best practices, including:~~

10 ~~(A) immediate access to shelter without housing readiness~~
11 ~~requirements; and~~

12 ~~(B) voluntary supportive services designed to support housing~~
13 ~~stability; and~~

14 ~~(5) Vermont increase the supply of interim shelter that is geographically~~
15 ~~and physically accessible to individuals with a disability, and that addresses the~~
16 ~~range of needs among individuals with a disability.~~

17 * * * Emergency Temporary Shelter Program * * *

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

19 CHAPTER 22. EMERGENCY TEMPORARY SHELTER PROGRAM

20 § 2209. EMERGENCY TEMPORARY SHELTER PROGRAM ADVISORY

21 COMMITTEE

1 ~~(a) Creation. There is created the Emergency Temporary Shelter Program~~
2 ~~Advisory Committee to provide advice and recommendations to the~~
3 ~~Commissioner regarding the implementation, administration, and operation of~~
4 ~~the Emergency Temporary Shelter Program from the perspective of individuals~~
5 ~~with lived experience of homelessness.~~

6 ~~(b) Membership. Each coordinated entry lead agency shall appoint an~~
7 ~~individual with lived experience of homelessness in Vermont to serve on the~~
8 ~~Advisory Committee established in this section. The Advisory Committee's~~
9 ~~membership shall reflect the growing diversity among Vermonters, including~~
10 ~~individuals who are Black, Indigenous, and Persons of Color, as well as with~~
11 ~~regard to socioeconomic status, geographic location, gender, sexual identity,~~
12 ~~and disability status.~~

13 ~~(c) Assistance. The Advisory Committee shall have the administrative,~~
14 ~~technical, and legal assistance of the Department for Children and Families.~~

15 ~~(d) Meetings.~~

16 ~~(1) The Commissioner shall call the first meeting of the Advisory~~
17 ~~Committee to occur on or before July 15, 2025.~~

18 ~~(2) The Committee shall select a chair or co-chairs from among its~~
19 ~~members at the first meeting.~~

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

1 ~~(e) Compensation and reimbursement. Members of the Advisory~~
2 ~~Committee shall be entitled to per diem compensation and reimbursement of~~
3 ~~expenses as permitted under 32 V.S.A. § 1010 for not more than 12 meetings~~
4 ~~annually. These payments shall be made from monies appropriated to the~~
5 ~~Department.~~

6 Sec. 3. REPEAL; EMERGENCY TEMPORARY SHELTER PROGRAM

7 ADVISORY COMMITTEE

8 33 V.S.A. § 2209 (Emergency Temporary Shelter Program Advisory
9 Committee) is repealed on July 1, 2029.

10 Sec. 4. 33 V.S.A. chapter 22 is amended to read:

11 CHAPTER 22. EMERGENCY TEMPORARY SHELTER PROGRAM

12 § 2201. DEFINITIONS

13 As used in this chapter:

14 (1) “Commissioner” means the Commissioner for Children and
15 Families.

16 (2) “Community-based shelter” means a shelter that meets the Vermont
17 Housing Opportunity Grant Program’s Standards of Provision of Assistance.

18 (3) “Department” means the Department for Children and Families.

19 (4) “Household” means an individual and any dependents for whom the
20 individual is legally responsible and who live in Vermont. “Household”

1 ~~includes individuals who reside together as one economic unit, including those~~
2 ~~who are married, parties to a civil union, or unmarried.~~

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

5 § 2202. ESTABLISHMENT; EMERGENCY TEMPORARY SHELTER
6 PROGRAM

7 (a) The Emergency Temporary Shelter Program is established within the
8 Department for Children and Families for the purpose of temporarily
9 sheltering households pursuant to the eligibility criteria in section 2203 of this
10 chapter in a manner that ensures participant dignity and leads to greater
11 stability.

12 (b) Permissible shelter provided through this Program shall:

13 (1) include:

14 (A) community-based shelter provided by housing and shelter
15 operators, including community-based shelters for designated populations; and

16 (B) hotel and motel rooms only after the Department has exhausted
17 other means of providing community-based shelter; and

18 (2) limit relocation between community-based shelter sites.

19 (c)(1) If there is inadequate community-based shelter space available for a
20 household within the Agency of Human Services district in which the

21 ~~household presents itself, the household shall be provided shelter in a hotel or~~

1 ~~hotel within the district, if available, until adequate community-based shelter~~
2 ~~space becomes available in the district.~~

3 (2) Annually, the Department shall propose hotel and motel rates
4 through the budget process for consideration and approval by the General
5 Assembly. If the Department determines that a contractual agreement with a
6 hotel or motel operator to secure temporary emergency shelter capacity is
7 beneficial to improve the quality, cleanliness, or access to services for those
8 households temporarily sheltered in the facility, the Department shall be
9 authorized to enter into such an agreement in accordance with the per-room
10 rate established by the General Assembly; provided, however, that in no event
11 shall such an agreement cause a household to become unhoused. The
12 Department may include provisions to address access to services or related
13 needs within the contractual agreement.

14 (3) The use of hotel and motel rooms shall be contingent on a
15 participating hotel or motel complying with the public accommodation act
16 pursuant to 9 V.S.A. chapter 139, holding a lodging license issued by the
17 Vermont Department of Health, and complying with the Licensed Lodging
18 Establishment Rule and the Vermont Fire and Building Safety Code. The
19 Department may withhold full or partial payment to any hotel or motel
20 operator who violates any law or rule or whose lodging license is suspended,
21 revoked, expired, or otherwise invalid. Specifically, the Department may

1 ~~withhold full or partial payment to hotel or motel operators to whom the~~
2 Department of Health has issued a conditional license, abatement order,
3 warning letter, or other notice of violation. Likewise, the Department may
4 withhold full or partial payment to hotel or motel operators who have received
5 notices from other State agencies that indicate that the hotel or motel operator
6 has violated a law or rule. Once the Department is satisfied that the hotel or
7 motel operator is complying with the law and any corresponding rules, the
8 Department shall begin or resume payments at the contracted rate for lodging
9 once the violation ended. The Department may provide all, some, or none of
10 the payments withheld based on the nature and extent of the legal violations
11 and the effects of those violations on Emergency Temporary Shelter Program
12 households.

13 § 2203. HOUSEHOLD ELIGIBILITY

14 To be eligible for the Program established in this chapter, a household shall
15 attest to lack of a fixed, regular, and adequate nighttime residence and have a
16 member who:

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

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

19 (A) written verification of the disability from a professional licensed

20 by the State to diagnose and treat the disability and certification that the

1 ~~disability is expected to be long continuing or of indefinite duration and~~

2 ~~substantially impedes the individual's ability to live independently;~~

3 ~~(B) written verification from the Social Security Administration;~~

4 ~~(C) receipt of a disability check;~~

5 ~~(D) in a staff-recorded observation of a disability that, not later~~
6 ~~than 45 days after the application for assistance, is confirmed and accompanied~~

7 ~~by evidence of this; or~~

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

10 ~~(3) is experiencing a serious short-term medical condition or has been~~
11 ~~discharged from a health care facility where the individual was being treated~~
12 ~~for a serious short-term medical condition within the last 30 days;~~

13 ~~(4) is a child under 19 years of age;~~

14 ~~(5) is in the third trimester of pregnancy or is experiencing an at-risk~~
15 ~~pregnancy;~~

16 ~~(6) has experienced the death of a spouse or domestic partner within the~~
17 ~~last 30 days;~~

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

20 ~~(8) is under a court-ordered eviction or constructive eviction due to~~

21 ~~circumstances over which the household has no control, or~~

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

5 § 2204. MAXIMUM DAYS OF ELIGIBILITY

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

9 (1) less than five percent at the household's time of application, the
10 household shall receive a maximum of 90 sheltered days under this Program
11 per 12-month period; or

12 (2) is equal to or greater than five percent at the household's time of
13 application, the household shall receive a maximum of 45 sheltered days under
14 this Program per 12-month period.

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

17 § 2205. HOUSEHOLD PARTICIPATION

18 Unless the head of the household has a disability as evidenced by
19 subdivision 2203(2) of this chapter that prevents the head of household's
20 ability to participate in coordinated entry and case management processes,

21 ~~participating household sheltered pursuant to this chapter shall participate in~~

1 ~~coordinated entry and case management processes if temporary emergency~~
2 shelter in excess of 14 days is required, including cooperating with the
3 Department and service providers on screening and care planning.

4 § 2206. APPLICATION; NOTICE; APPEALS

5 (a) All program applications and notices 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, including appeal rights related to the denial of an
10 initial application.

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

14 § 2207. MONTHLY REPORTING

15 Monthly, the Department shall post the following on its website:

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

19 (2) the number of alternative housing placements made during the
20 previous reporting period compared with the targeted number of placements
21 for that period;

1 ~~(3) of the households successfully placed in alternative housing during~~
2 the previous month, the number of households whose screening indicated a
3 potential need for services from each department within the Agency of Human
4 Services;

5 (4) the number of beds available for emergency housing in each Agency
6 of Human Services district in the State, with separate reporting on the number
7 of beds available in nursing homes and residential care homes for individuals
8 whose screening indicates they could meet the clinical criteria for those
9 settings and the number of emergency beds available for individuals whose
10 screening indicates they do not meet the clinical criteria, including low-barrier
11 shelters, beds for youth, and beds for individuals who have experienced
12 domestic violence;

13 (5) the number of households that have been successfully transitioned to
14 an alternative housing placement since the previous report was issued and the
15 types of housing settings in which they have been placed;

16 (6) the outlook for transitioning additional households to alternative
17 housing placements in the coming months, including an estimate of the
18 number of households likely to be placed per month;

19 (7) the number of and demographic information for households
20 obtaining shelter due to adverse weather conditions pursuant to section 2203 of
21 this chapter, and

1 ~~(8) the total amount of funds expended during the most recent quarter~~
2 on housing placements and supportive services for households transitioning
3 from the Program established in this chapter.

4 § 2208. WINTER SHELTER

5 To the extent funding and capacity exists and notwithstanding any
6 provisions of this chapter to the contrary, the Department shall provide shelter
7 to households lacking a fixed, regular, adequate, nighttime residence between
8 November 15 and April 15. If there is inadequate community-based shelter
9 space available within the Agency of Human Services district in which the
10 household presents itself, the household shall be provided shelter in a hotel or
11 motel within the district, if available, until adequate community-based shelter
12 space becomes available in the district. Shelter in a hotel or motel provided
13 pursuant to this section shall not count toward the maximum days of eligibility
14 per 12-month period provided in section 2204 of this chapter.

15 * * *

16 Sec. 5. RULEMAKING; EMERGENCY TEMPORARY SHELTER

17 PROGRAM

18 On or before February 15, 2026, 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, 2026.~~

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

6 Sec. 6. 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;~~

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. [Repealed]~~

2 Sec. 7. SUNSET; GENERAL ASSISTANCE EMERGENCY HOUSING

3 PROGRAM

4 The General Assistance Emergency Housing Program shall cease to exist on

5 July 1, 2026 and all related rules shall become ineffective on that date,

6 including those portions of Department for Children and Families, General

7 Assistance (CVR 13-170-260) as amended by the Department for Children and

8 Families under Secretary of State rule filing number 24-P42 and any future

9 rule adopted by the Department pertaining to emergency housing.

10 * * * Effective Dates * * *

11 Sec. 8. EFFECTIVE DATES

12 This section, Sec. 1 (legislative intent), and Sec. 2 (Emergency Temporary

13 Shelter Program Advisory Committee) shall take effect on passage, and all

14 remaining sections shall take effect on July 1, 2026.

** * * Findings and Legislative Intent * * **

Sec. 1. FINDINGS

The General Assembly finds that:

*(1) according to the U.S. Department of Housing and Urban
Development's 2024 Annual Homelessness Assessment Report, Vermont had
the fourth highest rate of homelessness in 2024 in that 53 of every 10,000*

Vermonters are experiencing homelessness, with only Hawaii, New York, and Oregon experiencing higher rates;

(2) in 2023, according to the same Annual Homelessness Assessment Report, 51 of every 10,000 Vermonters were experiencing homelessness;

(3) according to the Vermont 2024 Point-in-Time Count, there were approximately 3,458 unhoused individuals in Vermont, which represents a 300 percent increase over the 1,110 unhoused individuals prior to the COVID-19 pandemic in 2020;

(4) of the 3,458 unhoused individuals in Vermont identified by the Vermont 2024 Point-in-Time Count, 166 experienced unsheltered homelessness, which is the highest count of unsheltered homeless individuals in Vermont within the past decade;

(5) according to the Vermont 2024 Point-in-Time Count, over 35 percent of those Vermonters experiencing homelessness were unhoused for more than one year and over 72 percent were unhoused for more than 90 days;

(6) according to the Vermont 2024 Point-in-Time Count, 737 of those Vermonters experiencing homelessness were children and youth under 18 years of age and 646 were 55 years of age or older;

(7) according to the Vermont 2024 Point-in-Time Count, Black Vermonters are 5.6 times more likely to be unhoused as compared to white Vermonters;

(8) the 2024 Vermont Housing Needs Assessment notes that 36,000 primary homes are needed in Vermont between 2025–2029, 3,295 of which are needed to address homelessness; and

(9) the 2024 Vermont Housing Needs Assessment notes that “[h]alf of all Vermont renters are cost-burdened, and one-in-four pay more than 50 [percent] of their income on housing costs, putting them at high risk of eviction,” which “is heightened by Vermont’s rental vacancy rate of 3 [percent], which is well below the 5 [percent] rate of a healthy market.”

Sec. 2. LEGISLATIVE INTENT

(a) It is the intent of the General Assembly that unsheltered homelessness be eliminated and that homelessness in Vermont be rare, brief, and nonrecurring.

(b) It is the intent of the General Assembly that the Vermont Homeless Emergency Assistance and Responsive Transition to Housing Program established in 33 V.S.A. chapter 22 is a step toward ensuring that:

(1) homelessness be reduced in Vermont and interim shelter opportunities be available to provide a stable pathway to permanent housing for all Vermonters experiencing homelessness, including safe shelter options for individuals living in unsheltered homelessness;

(2) Vermont increase the supply of emergency shelter as well as permanent supportive housing that meets the specific needs of individuals;

(3) community components of all shelter types are integrated in a systemic manner;

(4) time limits, night-by-night shelter, relocation between interim shelter sites, and other disruptions in housing stability be eliminated to the extent possible;

(5) Vermont's emergency housing statutes, rules, policies, procedures, and practices be modeled on Housing First principles; and

(6) noncongregate shelter be used to the extent possible.

(c) It is the intent of the General Assembly that the Vermont Homeless Emergency Assistance and Responsive Transition to Housing Program established in 33 V.S.A. chapter 22 replaces the provision of emergency housing through the General Assistance Program established in 33 V.S.A. chapter 21 and the Housing Opportunity Grant Program.

** * * Vermont Homeless Emergency Assistance and Responsive Transition to
Housing Program * * **

Sec. 3. 33 V.S.A. chapter 22 is added to read:

CHAPTER 22. VERMONT HOMELESS EMERGENCY ASSISTANCE AND
RESPONSIVE TRANSITION TO HOUSING PROGRAM

§ 2201. SHORT TITLE

The Program established in this chapter may be cited as “VHEARTH” or the “VHEARTH Program.”

§ 2202. PURPOSE

It is the purpose of the General Assembly to replace the provision of emergency housing through the General Assistance Program established in chapter 21 of this title and the Housing Opportunity Grant Program and use funds and resources previously attributed to those programs, and any other identified State and federal monies, to fund the Vermont Homeless Emergency Assistance and Responsive Transition to Housing Program established in this chapter.

§ 2203. DEFINITIONS

As used in this chapter:

(1) “At-risk of homelessness” means in peril of imminently losing a primary, night-time residence or precariously housed.

(2) “Community action agency” means an agency designated pursuant to 3 V.S.A. chapter 59.

(3) “Community-based shelter” means a shelter that meets the Department’s standards for the operation of shelters.

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

(5) “Extreme weather event” means extreme hot or cold temperatures or weather events, such as hurricanes, flooding, or blizzards, that create hazardous conditions for outdoor habitation by humans.

(6) “Homeless” means lacking a fixed, regular, and adequate nighttime residence.

(7) “Household” means an individual and any dependents for whom the individual is legally responsible and who live and intend to stay in Vermont. “Household” includes individuals who reside together as one economic unit, including those who are married, parties to a civil union, or unmarried.

(8) “Unsheltered homelessness” means sleeping in a location not designed for or ordinarily used as a regular sleeping accommodation.

§ 2204. ESTABLISHMENT; VERMONT HOMELESS EMERGENCY

ASSISTANCE AND RESPONSIVE TRANSITION TO HOUSING
PROGRAM

(a) The Vermont Homeless Emergency Assistance and Responsive Transition to Housing Program is established in the Department and shall be operated by community action agencies and a statewide organization serving households that are experiencing or that have experienced domestic or sexual violence, to the extent funds exist.

(b) Community action agencies shall collaborate with other community partners, including municipalities, the Chittenden County Homeless Alliance, Balance of State Continuum of Care, and local housing coalitions. The Program shall utilize coordinated entry and shall utilize, but not duplicate, the work of the community partners. It shall include the following components:

(1) supportive services pursuant to section 2205 of this chapter to assist households experiencing homelessness or those households that are at-risk of homelessness pursuant to section 2205 of this chapter:

(2) extreme weather event shelters operated or caused to be operated by a community action agency pursuant section 2206 of this chapter; and

(3) emergency shelters operated or caused to be operated by a community action agency pursuant to section 2207 of this chapter.

(c) The Vermont Homeless Emergency Assistance and Responsive Transition to Housing Program shall include supportive services and shelters specific to households that are experiencing or that have experienced domestic and sexual violence, which shall be provided or caused to be provided by a statewide organization with population-specific service experience pursuant to section 2208 of this section.

§ 2205. SUPPORTIVE SERVICES

A community action agency, in collaboration with other community partners, shall offer or cause to be offered the following supportive services, which may vary in terms of manner and extent depending on the level of shelter a household utilizes or whether the household is at risk of homelessness or experiencing homelessness:

(1) intake assessments and services for diversion from homelessness;

(2) household needs assessments;

(3) individualized household plans to address identified needs;

(4) assistance obtaining and retaining housing, including financial assistance;

(5) referrals to other services and supports;

(6) peer-supported services;

(7) landlord-tenant outreach, education, and conflict resolution;

(8) housing navigation services;

(9) advocacy; and

(10) progress monitoring and interventions.

§ 2206. EXTREME WEATHER EVENT SHELTER

A community action agency shall operate or cause to be operated shelters in the State that shall be used during extreme weather events to shelter any homeless individual who seeks shelter. The community action agencies, in collaboration with community partners, shall prioritize funding for extreme weather event shelters by utilizing data available under this section and considering geographic access. A shelter offered pursuant to this section during an extreme weather event may include time-limited congregate accommodations and may be provided through agreements to municipalities or other entities.

§ 2207. EMERGENCY SHELTERS

(a) Temporary shelter. At a minimum, a community action agency shall serve or cause to be served in a manner that complies with and builds upon the federally required community planning process, households that are prioritized and in need of the services of a temporary shelter. A community action agency may provide or cause to be provided temporary shelter through community-based shelters, temporary use of hotels or motels, lease agreements for full or partial use of an existing building, need-specific shelter arrangements, or other arrangements or combinations of arrangements that comply with the intent of this chapter.

(b) Transitional shelter. A community action agency shall serve or cause to be served households in its region in need of the services of a transitional shelter in a manner that complies with and builds upon the federally required community planning process. A community action agency may provide or cause to be provided transitional shelter through community-based shelter, master grant leases, developing shelter capacity, or other arrangements or combinations of arrangements that comply with the intent of this chapter.

§ 2208. SUPPORTIVE AND SHELTER SERVICES FOR HOUSEHOLDS

IMPACTED BY DOMESTIC AND SEXUAL VIOLENCE

As part of the Vermont Homeless Emergency Assistance and Responsive Transition to Housing Program, the Department shall enter into an agreement with a statewide organization with population-specific experience serving

households that are experiencing or that have experienced domestic and sexual violence. The organization shall provide or cause to be provided various shelter and case management services that support households.

§ 2209. VHEARTH; DUTIES OF COMMUNITY ACTION AGENCIES

(a) The community action agencies shall serve or cause to be served households that are experiencing homelessness or that are at risk of homelessness in the State by providing supportive services, extreme weather event shelter, or emergency shelter pursuant to sections 2204–2207 of this chapter. If a community action agency cannot fulfil its responsibilities under this chapter, the Department shall work with other community action agencies or other appropriate community entities to ensure that there is not a gap in services in a community action agency’s region.

(b) A community action agency providing or causing to provide services in accordance with this chapter shall:

(1) have existing or planned infrastructure to support households in the region, including an established leadership team, a human resources staff, and the ability to receive grant funding and issue subgrants;

(2) have the ability to meet the Department’s reporting requirements, including past history of reporting compliance;

(3) have community connections with other providers in the region, including local housing coalitions, housing providers, providers of coordinated

entry, and providers of services to individuals who are older Vermonters, individuals who have disabilities, substance use disorder, or a mental health condition; individuals reentering the community after incarceration; individuals transitioning from the care and custody of the Commissioner for Children and Families; and families with children; and

(4) provide plain language communications to households receiving services.

§ 2210. VHEARTH; DUTIES OF THE DEPARTMENT

(a) The Agency of Human Services, working with the Department, shall have statewide responsibility for meeting the intent of this chapter, including statewide planning, system development, and the involvement of all the Agency's departments.

(b) For the purpose of providing administrative oversight and monitoring of the Program established in this chapter, the Department shall:

(1)(A) adopt guidance regarding when extreme weather event shelters shall be operated, including flexibility for regional weather conditions; and

(B) maintain a website with the locations of all extreme weather event shelters;

(2) include as part of any review of a community action agency required pursuant to 3 V.S.A. chapter 59, the community action agency's ability to perform the requirements of this chapter;

(3)(A) consult with the community action agencies and the statewide organization serving households that are experiencing or that have experienced domestic and sexual violence pursuant to section 2208 of this chapter; to develop appropriate resource allocations and methods for adjustment that take into account available data, the presence of community-based providers, and customary resource allocation methods, economic indicators, rate of homelessness, rental vacancy rates, and other variables, as appropriate; and

(B) annually, distribute funding to each community action agency and the statewide organization serving households that are experiencing or that have experienced domestic and sexual violence pursuant to section 2208 of this chapter using the allocation formula developed pursuant to subdivision (A) of this subdivision (3), or if the Department and community action agencies agree, disperse a joint allocation for all community action agencies, which the community action agencies shall determine how to distribute amongst themselves;

(4) consult with the community action agencies and the statewide organization serving households that are experiencing or that have experienced domestic and sexual violence pursuant to section 2208 of this chapter to develop appropriate measures and methods for accountability of the community action agencies' and the statewide organization's execution of

duties under this chapter, including the provision of any previously agreed upon information to enable the Department to evaluate the services provided through grant funds, the effect on households receiving services, and an accounting of expended grant funds;

(5) provide support and technical assistance to the community action agencies, other community partners, and the statewide organization serving households that are experiencing or that have experienced domestic and sexual violence pursuant to section 2208 of this chapter;

(6) identify specific administrative resources that could be transitioned to community operations;

(7) develop and submit standards for the operation of community-based shelters;

(8) adopt rules pursuant to 3 V.S.A. chapter 25, in consultation with the community action agencies and the statewide organization serving households that are experiencing or that have experienced domestic and sexual violence pursuant to section 2208 of this chapter; as appropriate, for the implementation of this chapter, including accommodations for individuals with a disability.

§ 2211. REGIONAL PLANNING; NEEDS ASSESSMENTS

(a) As part of the plan required pursuant to 3 V.S.A. chapter 59 and the federally required planning and needs assessments for the continuums of care,

the community action agencies shall develop a regional needs assessment and planning process, in collaboration with community and State partners, for use in each community action agency's region to inform future plans addressing housing and homelessness in each region of the State. The plans shall include:

(1) addressing progress in reducing the number of households experiencing homelessness in a region;

(2) assessing the rate households placed in permanent housing return to homelessness and the underlying reasons;

(3) identifying resources developed and utilized in the region to address homelessness;

(4) reporting the rate of household participation with coordinated entry processes and case management services;

(5) identifying system gaps and the funding needed to address those gaps, including periodic inflationary adjustments; and

(6) utilizing data, including Vermont's Point-in-Time Count, coordinated entry assessment results, and community conversations.

(b) Each community action agency shall submit plans developed pursuant to this section to the Department in a format prescribed by the Department. The Department shall aggregate the results of these reports and submit the aggregated report to the House Committee on Human Services and to the Senate Committee on Health and Welfare.

§ 2212. USE OF HOTEL AND MOTEL ROOMS

(a) Hotels and motels providing emergency shelter pursuant to this chapter shall comply with Program rules and shall comply with the following:

(1) Department of Health, Licensed Lodging Establishment Rule (CVR 13-140-023); and

(2) Department of Public Safety, Vermont Fire and Building Safety Code (CVR 28-070-001).

(b) Annually, the Department shall propose hotel and motel rates as part of its budget presentation for approval by the General Assembly. A community action agency shall not pay or cause to be paid with State monies a per room, per night basis that exceeds the rate approved by the General Assembly.

(c) To the extent possible, if a hotel or motel is being utilized:

(1) a community action agency shall enter into agreements for the use of blocks of hotel and motel rooms and negotiate the conditions of use for those blocks, including access for providers of case management or other supportive services; and

(2) prioritize the use of hotel and motel room agreements over individual per-room, per-night hotel or motel room use, unless it is not appropriate to a household's needs.

Sec. 4. VERMONT HOMELESS EMERGENCY ASSISTANCE AND
RESPONSIVE TRANSITION TO HOUSING PROGRAM

IMPLEMENTATION ADVISORY COMMITTEE

(a) Creation. There is created the Vermont Homeless Emergency Assistance and Responsive Transition to Housing Program Implementation Advisory Committee to provide advice and recommendations to the Commissioner for Children and Families and to the community action agencies as defined in 33 V.S.A. chapter 22 regarding the design, implementation, and transition to the Vermont Homeless Emergency Assistance and Responsive Transition to Housing Program established in 33 V.S.A. chapter 22, including advice and recommendations on the implementation plan required pursuant to Sec. 5 of this act.

(b) Membership. The Advisory Committee's membership shall reflect the growing diversity among Vermonters, including individuals who are Black, Indigenous, and Persons of Color; as well as with regard to socioeconomic status, geographic location, gender, sexual identity, and disability status and shall be composed of:

(1) five representatives with lived experience of homelessness, appointed by the Chittenden County Homeless Alliance and the Balance of State Continuum of Care;

(2) five representatives, one appointed by each of the community action agencies;

(3) one representative, appointed by the Chittenden County Homeless Alliance;

(4) one representative, appointed by the Balance of State Continuum of Care;

(5) five representatives of local housing coalitions, including at least two of whom are shelter providers, appointed jointly by the Chittenden County Homeless Alliance and the Balance of State Continuum of Care;

(6) the Deputy Commissioner of the Department for Children and Families' Economic Services Division or designee; and

(7) the Director of the Department for Children and Families' Office of Economic Opportunity or designee.

(c) Assistance. The Advisory Committee shall have the administrative, technical, and legal assistance of the Department for Children and Families.

(d) Meetings.

(1) The Commissioner shall call the first meeting of the Advisory Committee to occur on or before July 15, 2025.

(2) The Committee shall select co-chairs from among its members at the first meeting at least one of whom is not a State employee.

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

(4) The Advisory Committee may divide into subcommittees to carry out its duties under this section and subcommittees may include individuals not

appointed to the Advisory Committee pursuant to subsection (b) of this section, including representatives of individuals who are older Vermonters, individuals who have disabilities, substance use disorder, or a mental health condition; individuals reentering the community after incarceration; individuals transitioning from the care and custody of the Commissioner for Children and Families; and families with children.

(e) Compensation and reimbursement. Members of the Advisory Committee shall be entitled to per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010 for not more than 12 meetings annually. These payments shall be made from monies appropriated to the Department.

(f) Sunset. The Advisory Committee shall cease to exist on July 1, 2029.

Sec. 5. IMPLEMENTATION PLAN

On or before February 1, 2026, the Department for Children and Families, in collaboration with community action agencies and in consultation with the departments of the Agency of Human Services and the Vermont Homeless Emergency Assistance and Responsive Transition to Housing Program Implementation Advisory Committee established pursuant to Sec. 4 of this act, shall submit a plan to the House Committee on Human Services and to the Senate Committee on Health and Welfare for the implementation of the Vermont Homeless Emergency Assistance and Responsive Transition to

Housing Program established by 33 V.S.A. chapter 22 that ensures maximum flexibility for the use of resources and streamlines processes for Program participants. Specifically, the implementation plan shall address:

(1) funding allocations among the community action agencies and other providers, including for services specific to households that are experiencing or that have experienced domestic or sexual violence;

(2) additional State and federal funding and other resources identified for the Program;

(3) appropriate measures and methods of accountability in fulfilling the intent of this act for community action agencies, the organization serving households that are experiencing or that have experienced domestic and sexual violence, and community partners;

(4) appropriate supportive services specific to the level of shelter a household utilizes, or whether the household is at risk of homelessness, or experiencing unsheltered homelessness;

(5) establishing an appeals process that includes a hearing before the Human Services Board and an option for an expedited appeals process;

(6) expanded use of 211 within the intake system;

(7) whether continuation in emergency shelter should include an expectation regarding household participation in case management services or other expectations such as night limits on the use of hotels and motels, and if

so, what elements and in what circumstances participation in case management services or other expectations should be applied;

(8) whether the use of emergency shelter should include financial participation, and if so, what that participation should include;

(9) how prioritization should occur for emergency temporary shelter and what priority categories should exist within those parameters;

(10) how to best ensure that there is equitable access to shelter and supportive services for households experiencing homelessness;

(11) the appropriate level of required intake and assessment processes for each of the various levels of shelter that a household may utilize for households that are at risk of homelessness and for households experiencing unsheltered homelessness; and

(12) any anticipated challenges requiring a legislative solution.

** * * Community Action Agencies * * **

Sec. 6. 3 V.S.A. chapter 59 is amended to read:

CHAPTER 59. COMMUNITY ~~SERVICES~~ ACTION AGENCIES

§ 3901. FINDINGS AND PURPOSE

(a) Recognizing that the economic well-being and social equity of every Vermonter has long been a fundamental concern of the State, it remains evident that ~~poverty continues to be the lot of~~ a substantial number of Vermont's population continues to experience poverty. It is the policy of ~~this~~

the State to help develop the full potential of each of its citizens so they can contribute to the fullest extent possible to the life of our communities and the State as a whole.

(b) It is the purpose of this chapter to strengthen, supplement, and coordinate efforts that further this policy through:

(1) the strengthening of community capabilities for planning, coordinating, and managing federal, State, and other sources of assistance related to the problem of poverty;

(2) the better organization and utilization of a range of services related to the needs of ~~the poor~~ individuals with low income; and

(3) the broadening of the resource base of programs to secure a more active role in assisting ~~the poor~~ individuals with low income from business, labor, and other groups from the private sector.

§ 3902. OFFICE OF ECONOMIC OPPORTUNITY

(a) The Director of the Office of Economic Opportunity is hereby authorized to allocate available financial assistance for community ~~services~~ action agencies and programs in accordance with State and federal law and regulation.

(b) The Director may provide financial assistance to community ~~services~~ action agencies for the planning, conduct, administration, and evaluation of community ~~service~~ action programs to provide a range of services and

activities having a measurable and potentially major impact on causes of poverty in the community or in areas of the community where poverty is a particularly acute problem. Components of those services and activities may involve, without limitation of other activities and supporting facilities designed to assist ~~low-income~~ participants with low income:

(1) to secure and retain meaningful employment;

(2) to obtain adequate education;

(3) to make better use of available income;

(4) to ~~provide and maintain adequate housing and a suitable living environment~~ have access to safe, secure, permanent housing;

(5) to obtain prevention, intervention, treatment, and recovery services for the prevention of narcotics addiction, alcoholism, and for the rehabilitation of ~~narcotic addicts and alcoholics~~ individuals with substance use disorder;

(6) to obtain emergency assistance through loans and grants to meet immediate and urgent individual and family needs, including the need for health services, nutritious food, housing, and unemployment-related assistance;

(7) to remove obstacles and solve personal and family problems ~~which~~ that block achievement of self-sufficiency;

(8) to achieve greater participation in the affairs of the community;

(9) *to make more frequent and effective use of other programs related to the purposes of this chapter; and*

(10) *to coordinate and establish linkages between governmental and other social service programs to ~~assure~~ ensure the effective delivery of such services to ~~low-income~~ persons; with low income and to encourage the use of entities in the private sector of the community in efforts to ameliorate poverty in the community.*

(c) *The Director is authorized to adopt rules pursuant to chapter 25 of this title appropriate to the carrying out of this chapter and the purposes thereof.*

*§ 3903. DESIGNATION OF AGENCIES TO PROVIDE SERVICES AND
ACTIVITIES TO AMELIORATE OR ELIMINATE POVERTY*

The Director shall designate private nonprofit community based organizations ~~who~~ that have demonstrated or ~~who~~ that can demonstrate the ability to provide services and activities as defined in subsection 3902(b) of this title as community ~~services~~ action agencies.

§ 3904. COMMUNITY ~~SERVICES~~ ACTION AGENCY PLAN

Each designated community ~~services~~ action agency shall determine the need for activities and services within the area served by the agency and shall thereafter prepare a community services plan ~~which~~ that describes the method by which the agency will provide those services. The plan shall include a schedule for the anticipated provision of new or additional services and shall

specify the resources ~~which~~ that are needed by and available to the agency to implement the plan. The community services plan shall be completed every three years and updated annually. The plan shall include the regional needs assessment required under 33 V.S.A. § 2211.

§ 3905. *COMMUNITY ~~SERVICES~~ ACTION AGENCIES;*

ADMINISTRATION

(a) Each community ~~services~~ action agency shall administer its programs as set out in the community services plan and as approved by its board of directors.

(b) Each board of a nonprofit community-based organization that is designated a community ~~services~~ action agency under section 3903 of this chapter shall have an executive committee of not more than seven members who shall be representative of the composition of the board and the board shall be so constituted that:

** * **

(2) one-third of the members of the board are persons chosen in accordance with election procedures adequate to ~~assure~~ ensure that they are representative of ~~the poor~~ individuals with low income in the area served; and

(3) the remainder of the members of the board are officials or members of business, industry, labor, religious, welfare, education, or other major groups and interests in the community.

(c) Each member of the a board selected to represent a specific geographic area within a community shall reside in the area he or she the member represents. No person selected under subdivisions (2) or (3) of subsection (b) as a member of a board shall serve on such board for more than five consecutive years, or more than a total of 10 years. Each board shall adopt term limits to govern its members.

** * * Appropriations * * **

Sec. 7. APPROPRIATION; TRANSITION PLANNING

In fiscal year 2026, \$10,000,000.00 of one-time funding is appropriated from the General Fund as follows:

(1) \$6,500,000.00 to the Department for Children and Families for distribution to the community action agencies and the statewide organization serving households experiencing or who have experienced domestic and sexual violence;

(2) \$500,000.00 to the Department for Children and Families for contractual and other system transformation assistance; and

(3) \$3,000,000.00 to the Department for Children and Families for the continued development of shelter capacity in the State.

Sec. 8. FUTURE APPROPRIATIONS; LEGISLATIVE INTENT

It is the intent of the General Assembly that in fiscal year 2027 and thereafter, equivalent funds and resources, base and one-time, used in fiscal

year 2025 for General Assistance emergency housing and the Housing Opportunity Grant Program be redesignated for the Vermont Homeless Emergency Assistance and Responsive Transition to Housing Program pursuant to 33 V.S.A. chapter 22.

** * * Effective Dates * * **

Sec. 9. EFFECTIVE DATES

This act shall take effect on July 1, 2025, except that Sec. 3 (Vermont Homeless Emergency Assistance and Responsive Transition to Housing Program) shall take effect on July 1, 2026.