

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Human Services to which was referred House Bill No.
3 91 entitled “An act relating to the Emergency Temporary Shelter Program”
4 respectfully reports that it has considered the same and recommends that the
5 bill be amended by striking out all after the enacting clause and inserting in
6 lieu thereof the following:

7 * * * Findings and Legislative Intent * * *

8 Sec. 1. FINDINGS

9 The General Assembly finds that:

10 (1) according to the U.S. Department of Housing and Urban
11 Development’s 2024 Annual Homelessness Assessment Report, Vermont had
12 the fourth highest rate of homelessness in 2024 in that 53 of every 10,000
13 Vermonters are experiencing homelessness, with only Hawaii, New York, and
14 Oregon experiencing higher rates;

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

17 (3) according to the Housing and Homelessness Alliance of Vermont’s
18 2024 Point-in-Time Count, there were approximately 3,458 unhoused
19 individuals in Vermont, which represents a 300 percent increase over the 1,110
20 unhoused individuals prior to the COVID-19 pandemic in 2020;

1 (4) of the 3,458 unhoused individuals in Vermont identified by the
2 Housing and Homelessness Alliance of Vermont’s 2024 Point-in-Time Count,
3 166 experienced unhoused homelessness, which is the highest count of
4 unhoused homeless individuals in Vermont within the past decade;

5 (5) according to the Housing and Homelessness Alliance of Vermont’s
6 2024 Point-in-Time Count, over 35 percent of those Vermonters experiencing
7 homelessness were unhoused for more than one year and over 72 percent were
8 unhoused for more than 90 days;

9 (6) according to the Housing and Homelessness Alliance of Vermont’s
10 2024 Point-in-Time Count, 737 of those Vermonters experiencing
11 homelessness were children and youth under 18 years of age and 646 were 55
12 years of age or older;

13 (7) according to the Housing and Homelessness Alliance of Vermont’s
14 2024 Point-in-Time Count, Black Vermonters are 5.6 times more likely to be
15 unhoused as compared to white Vermonters;

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

19 (9) the 2024 Vermont Housing Needs Assessment notes that “[h]alf of
20 all Vermont renters are cost-burdened, and one-in-four pay more than 50
21 [percent] of their income on housing costs, putting them at high risk of

1 eviction,” which “is heightened by Vermont’s rental vacancy rate of 3
2 [percent], which is well below the 5 [percent] rate of a healthy market.”

3 Sec. 2. LEGISLATIVE INTENT

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

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

11 (2) Vermont increase the supply of emergency temporary and
12 transitional shelter as well as permanent supportive housing that meets the
13 specific needs of individuals;

14 (3) community components of an emergency temporary and transitional
15 shelter program are integrated in a systemic manner;

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

19 (5) Vermont’s emergency housing statutes, rules, policies, procedures,
20 and practices incorporate Housing First principles; and

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

1 § 2203. DEFINITIONS

2 As used in this chapter:

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

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

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

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

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

15 (6) “Precariously housed” means at-risk of losing a primary, night-time
16 residence.

17 § 2204. ESTABLISHMENT; VERMONT HOMELESS EMERGENCY

18 ASSISTANCE AND RESPONSIVE TRANSITION TO HOUSING

19 PROGRAM

1 The Vermont Homeless Emergency Assistance and Responsive Transition
2 to Housing Program is established in the Department and shall be operated to
3 the extent funds exist. It shall include the following components:

4 (1) supportive services to assist households experiencing homelessness
5 or those households that are precariously housed pursuant to section 2205 of
6 this chapter:

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

9 (3) emergency temporary shelters operated or caused to be operated by a
10 community action agency pursuant to section 2207 of this chapter; and

11 (4) transitional shelters operated or caused to be operated by a
12 community action agency pursuant to section 2208 of this chapter.

13 § 2205. SUPPORTIVE SERVICES

14 A community action agency shall offer or cause to be offered the following
15 supportive services, which may vary in terms of manner and extent depending
16 on the level of shelter a household utilizes or whether the household is
17 precariously housed or experiencing unsheltered homelessness:

18 (1) intake assessments and diversion services;

19 (2) household needs assessments;

20 (3) individualized household plans to address identified needs;

- 1 (4) assistance obtaining and retaining housing, including financial
- 2 assistance;
- 3 (5) referrals to other services and supports;
- 4 (6) peer-supported services;
- 5 (7) mediation with landlords
- 6 (8) housing navigation services;
- 7 (9) advocacy; and
- 8 (10) progress monitoring and interventions.

9 § 2206. EXTREME WEATHER EVENT SHELTER

10 A community action agency shall operate or cause to be operated shelters
11 throughout the State that shall be used during extreme weather events to shelter
12 any homeless individual who presents themselves at the shelter. The
13 Department shall prioritize funding under this section to regions of the State
14 most impacted by homelessness. A shelter offered pursuant to this section
15 during an extreme weather event may include time-limited congregate
16 accommodations and may be provided through grants to municipalities or
17 other entities.

18 § 2207. EMERGENCY TEMPORARY SHELTER

19 (a) A community action agency shall serve or cause to be served, in the
20 manner it deems best to meet the needs of the region, households that are
21 eligible pursuant to subsection (b) of this section and in need of the services of

1 a emergency temporary shelter. A community action agency may provide or
2 cause to be provided emergency temporary shelter through community-based
3 shelters, temporary use of hotels or motels, lease agreements for full or partial
4 use of an existing building, need-specific shelter arrangements, or other
5 arrangements or combinations of arrangements that comply with the intent of
6 this chapter.

7 (b) A community action agency shall provide or cause to be provided
8 emergency temporary housing to households that attest to lack of a fixed,
9 regular, and adequate nighttime residence and have a member who:

10 (1) is 65 years of age or older;

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

12 (A) receipt of Supplemental Security Income or Social Security
13 Disability Insurance; or

14 (B) a form developed by the Department as a means of documenting
15 a qualifying disability or health condition that requires:

16 (i) the applicant’s name, date of birth, and the last four digits of
17 the applicant’s Social Security number or other identifying number;

18 (ii) a description of the applicant’s disability or health condition;

19 (iii) a description of the risk posed to the applicant’s health, safety,
20 or welfare if temporary emergency housing is not authorized pursuant to this
21 section; and

1 (iv) a certification of a health care provider, as defined in 18
2 V.S.A. § 9481, that includes the provider’s credentials, credential number,
3 address, and phone number;

4 (3) is a child 19 years of age or under;

5 (4) is pregnant;

6 (5) has experienced the death of a spouse, domestic partner, or minor
7 child that caused the household to lose its housing;

8 (6) has experienced a natural disaster, such as a flood, fire, or hurricane;

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

11 (8) is experiencing domestic violence, dating violence, sexual assault,
12 stalking, human trafficking, hate violence, or other dangerous or life-
13 threatening conditions that relate to violence against the individual or a
14 household member that caused the household to lose its housing.

15 § 2208. TRANSITIONAL SHELTER

16 A community action agency shall serve or cause to be served eligible
17 households in its region in need of the services of a transitional shelter in the
18 manner it deems best to meet the needs of the region. A community action
19 agency may provide or cause to be provided transitional shelter through
20 community-based shelter, master grant leases, developing shelter capacity, or

1 other arrangements or combinations of arrangements that comply with the
2 intent of this chapter.

3 **§ 2209. VHEARTH; DUTIES OF COMMUNITY ACTION AGENCIES**

4 (a) The community action agencies shall serve or cause to have served
5 eligible households that are experiencing homelessness or that are precariously
6 housed throughout the State by providing supportive services, extreme weather
7 event shelter, emergency temporary shelter, or transitional shelter pursuant to
8 sections 2204–2208 of this chapter. If a community action agency cannot fulfil
9 its responsibilities under this chapter, the Department shall work with other
10 community action agencies or other appropriate community entities to ensure
11 that there is not a gap in services in the community action agency’s region.

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

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

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

19 (3) have community connections with other providers in the region,
20 including providers of coordinated entry, housing providers, mental health and

1 disability services, substance use disorder services, and services for older
2 Vermonters.

3 **§ 2210. VHEARTH; DUTIES OF THE DEPARTMENT**

4 For the purpose of providing administrative oversight and monitoring of the
5 the Program established in this chapter, the Department shall:

6 (1)(A) adopt guidance regarding when extreme weather event shelters
7 shall be operated; and

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

10 (2) as part of any redesignation review of a community action agency
11 required pursuant to 3 V.S.A. chapter 59, assess the community action
12 agency’s ability to comply with the requirements of this chapter;

13 (3)(A) consult with the community action agencies to develop
14 appropriate resource allocations that take into account available data, economic
15 indicators, rate of homelessness, rental vacancy rates, and other variables, as
16 appropriate; and

17 (B) annually, distribute funding to each community action agency
18 using the allocation formula developed pursuant to subdivision (A) of this
19 subdivision (3), or if the Department and community action agencies agree,
20 disperse a joint allocation for all community action agencies, which the

1 community action agencies shall decide how to distribute amongst themselves;

2 and

3 (4) consult with the community action agencies to develop appropriate

4 measures and methods for accountability of community action agencies’

5 execution of duties under this chapter, including the provision of any

6 previously agreed upon information to enable the Department to evaluate the

7 services provided through grant funds, the effect on households receiving

8 services, and an accounting expended grant funds.

9 § 2211. REGIONAL PLANNING; NEEDS ASSESSMENTS

10 (a) As part of the plan required pursuant to 3 V.S.A. chapter 59, the

11 community action agencies shall jointly develop a regional needs assessment

12 for use in each community action agency’s region to inform future plans

13 addressing housing and homelessness in each region of the State. The plans

14 shall:

15 (1) address progress in reducing the number of households experiencing

16 homelessness in a region;

17 (2) assess the rate households placed in permanent housing return to

18 homelessness and the underlying reasons;

19 (3) identify resources developed and utilized in the region to address

20 homelessness;

1 (4) determine the rate of household compliance with coordinated entry
2 processes;

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

5 (6) utilize data, including the point-in-time count produced by a
6 statewide homeless advocacy organization, coordinated entry assessment
7 results, and community conversations.

8 (b) Each community action agency shall submit plans developed pursuant
9 to this section to the Department in a format prescribed by the Department.

10 The Department shall aggregate the results of these reports and submit the
11 aggregated report to the House Committee on Human Services and to the
12 Senate Committee on Health and Welfare.

13 § 2212. USE OF HOTEL AND MOTEL ROOMS

14 (a) Hotels and motels providing temporary emergency shelter or
15 transitional shelter pursuant to this chapter shall comply with:

16 (1) Department of Health, Licensed Lodging Establishment Rule (CVR
17 13-140-023); and

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

20 (b) Annually, the Department shall propose hotel and motel rates as part of
21 its budget presentation for approval by the General Assembly. A community

1 action agency shall not pay more on a per room, per night basis than that rate
2 approved by the General Assembly. A community action agency may enter
3 into contracts for the use of blocks of hotel and motel rooms and negotiate the
4 conditions of use for those blocks, including access for providers of case
5 management other support services.

6 Sec. 4. VERMONT HOMELESS EMERGENCY ASSISTANCE AND
7 RESPONSIVE TRANSITION TO HOUSING PROGRAM
8 IMPLEMENTATION ADVISORY COMMITTEE

9 (a) Creation. There is created the Vermont Homeless Emergency
10 Assistance and Responsive Transition to Housing Program Implementation
11 Advisory Committee to provide advice and recommendations to the
12 Commissioner for Children and Families and to the community action agencies
13 as defined in 33 V.S.A. chapter 22 regarding the design, implementation, and
14 transition to the Vermont Homeless Emergency Assistance and Responsive
15 Transition to Housing Program established in 33 V.S.A. chapter 22.

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

1 (1) five individuals with lived experience of homelessness, appointed by
2 the lead coordinated entry agency;

3 (2) two **representatives**, appointed by the community action agencies;

4 (3) a representative, appointed by the coordinated entry agency in
5 Chittenden County;

6 (4) a representative of the remaining coordinated entry organizations in
7 the State, appointed by the Housing and Homelessness Alliance of Vermont;

8 (5) **the Secretary of Human Services or designee;**

9 (6) **the Commissioner for Children and Families or designee;**

10 (7) **the Deputy Commissioner of the Department for Children and**
11 Families' Economic Services Division or designee;

12 (8) **the Commissioner of Disabilities, Aging, and Independent Living or**
13 designee;

14 (9) **the Commissioner of Mental Health or designee;**

15 (10) **the Commissioner of Corrections or designee; and**

16 (11) **the Commissioner of Health or designee.**

17 (c) **Duties.**

18 (1) **The Advisory Committee shall provide recommendations on the**
19 **following:**

20 (A) **how to triage eligible populations when there is a scarcity of**
21 **available shelter beds in a region; and**

1 (B) the appropriate level of required intake and assessment processes
2 for each of the various levels of shelter that a household may utilize for
3 households that are precariously housed and for households experiencing
4 unsheltered homelessness.

5 (2) On or before February 1, the Advisory Committee shall submit its
6 recommendations to the Department, to the House Committee on Human
7 Services, and to the Senate Committee on Health and Welfare.

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

10 (e) Meetings.

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

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

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

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

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

1 Sec. 5. **IMPLEMENTATION PLAN**

2 (a) On or before February 1, 2026, the Department for Children and
3 Families shall submit a plan for the implementation of the Vermont Homeless
4 Emergency Assistance and Responsive Transition to Housing Program
5 established by 33 V.S.A. chapter 22. Specifically, the implementation plan
6 shall address:

7 (1) funding allocations among the community action agencies;

8 (2) additional funding sources identified for the Program;

9 (3) appropriate measures and methods for accountability developed by
10 the Department and the community action agencies pursuant to 33 V.S.A.
11 § 2210(4);

12 (4) appropriate supportive services specific to the level of shelter a
13 household utilizes, or whether the household is precariously housed, or
14 experiencing unsheltered homelessness; and

15 (5) any anticipated challenges requiring a legislative solution.

16 (b) As part of the plan required pursuant to this section, the Department
17 shall develop and submit standards for the operation of community-based
18 shelters based on the Vermont Housing Opportunity Grant Program's
19 Standards of Provision of Assistance.

1 § 3902. OFFICE OF ECONOMIC OPPORTUNITY

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

6 (b) The Director may provide financial assistance to community ~~services~~
7 ~~action~~ agencies for the planning, conduct, administration and evaluation of
8 community ~~service~~ ~~action~~ programs to provide a range of services and
9 activities having a measurable and potentially major impact on causes of
10 poverty in the community or in areas of the community where poverty is a
11 particularly acute problem. Components of those services and activities may
12 involve, without limitation of other activities and supporting facilities designed
13 to assist ~~low income~~ participants with low income:

14 (1) to secure and retain meaningful employment;

15 (2) to obtain adequate education;

16 (3) to make better use of available income;

17 (4) to provide and maintain adequate housing and a suitable living
18 environment;

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

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

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

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

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

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

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

16 § 3903. DESIGNATION OF AGENCIES TO PROVIDE SERVICES AND
17 ACTIVITIES TO AMELIORATE OR ELIMINATE POVERTY

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

1 § 3904. COMMUNITY SERVICES ACTION AGENCY PLAN

2 Each designated community services action agency shall determine the need
3 for activities and services within the area served by the agency and shall
4 thereafter prepare a community services plan which that describes the method
5 by which the agency will provide those services. The plan shall include a
6 schedule for the anticipated provision of new or additional services and shall
7 specify the resources which that are needed by and available to the agency to
8 implement the plan. The community services plan shall be updated annually at
9 least every three years. The plan shall include the regional needs assessment
10 required under 33 V.S.A. § 2209.

11 § 3905. COMMUNITY SERVICES ACTION AGENCIES;

12 ADMINISTRATION

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

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

21 * * *

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

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

7 (c) Each member of the board selected to represent a specific geographic
8 area within a community shall reside in the area ~~he or she~~ the member
9 represents. No person selected under ~~subdivisions~~ subdivision (b)(2) or (3) of
10 ~~subsection (b)~~ this section as a member of a board shall serve on such board for
11 more than five consecutive years, or more than a total of 10 years.

12 * * * Appropriations * * *

13 Sec. 7. APPROPRIATION; TRANSITION PLANNING

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

16 (1) \$5,000,000.00 to the Department for Children and Families for
17 distribution to the community action agencies;

18 (2) \$500,000.00 to the Department for Children and Families for
19 contractual and other system transformation assistance; and

20 (3) \$4,500,000.00 to the Department for Children and Families for the
21 continued development of need-specific housing throughout the State, such as

1 recovery housing, housing for individuals with disabilities, family housing, and
2 transitional housing for individuals exiting the custody of the Commissioner of
3 Corrections.

4 Sec. 8. FUTURE APPROPRIATIONS; LEGISLATIVE INTENT

5 It is the intent of the General Assembly that in fiscal year 2027 and
6 thereafter, equivalent funds used in fiscal year 2025 for General Assistance
7 emergency housing and the Housing Opportunity Program be redesignated for
8 the Vermont Homeless Emergency Assistance and Responsive Transition to
9 Housing Program pursuant to 33 V.S.A. chapter 22.

10 * * * Effective Dates * * *

11 Sec. 9. EFFECTIVE DATES

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

15 and that after passage the title of the bill be amended to read: “An act
16 relating to the Vermont Homeless Emergency Assistance and Responsive
17 Transition to Housing Program”

18

1 (Committee vote: _____)

2

3

Representative _____

4

FOR THE COMMITTEE

5