
Human Services & Early Learning Committee

HB 2388

Brief Description: Standardizing definitions of homelessness to improve access to services.

Sponsors: Representatives Senn, Callan, Leavitt, Thai, Robinson, Ormsby, Macri, Wylie, Doglio, Goodman and Pollet.

<p style="text-align: center;">Brief Summary of Bill</p> <ul style="list-style-type: none">• Adds and revises definitions of homelessness for various public assistance programs and some human services.
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Hearing Date: 1/22/20

Staff: Dawn Eychaner (786-7135).

Background:

The federal McKinney-Vento Homeless Assistance Act, Subchapter VI, Part B: Education for Homeless Children and Youths (McKinney-Vento) defines the term "homeless children and youths" to mean individuals who lack a fixed, regular, and adequate nighttime residence and includes children and youth:

- sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
- living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;
- living in emergency or transitional shelters;
- abandoned in hospitals;
- with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; and
- living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Housing and Essential Needs.

The Essential Needs and Housing Support program, commonly referred to as HEN, provides rental assistance and other housing support as well as essential needs items such as personal hygiene and household supplies, bus passes, and laundry tokens. Housing support is assistance provided to maintain existing housing when the recipient is at substantial risk of becoming homeless; to obtain housing; or to obtain utility services. Recipients of HEN referrals do not receive a cash grant.

Eligible individuals must meet income requirements, be temporarily unable to work for at least 90 days due to physical or mental incapacity, and be ineligible for other cash assistance programs such as the Temporary Assistance for Needy Families (TANF) program.

First priority for HEN assistance is given to people living outside or in a building not meant for human habitation or which they have no legal right to occupy, in an emergency shelter, or in a temporary housing program which may include a transitional and supportive housing program if habitation time limits exist.

Early Childhood Education and Assistance Program.

The Early Childhood Education and Assistance Program (ECEAP) is a state-funded preschool program for low-income or at-risk 3 and 4 year olds. Children eligible for the ECEAP are prioritized according to various risk factors, including homelessness. The ECEAP uses the federal McKinney-Vento definition of a homeless child.

Temporary Assistance for Needy Families.

The TANF program provides cash assistance, child care, and work programs to low-income families with children. Federal rules limit the length of time an adult can receive TANF benefits to a cumulative total of 60 months. States can extend TANF assistance beyond the 60-month limit on the basis of hardship, as defined by the state, or in instances of family violence.

The state considers homelessness as a hardship qualifying for an extension. For this purpose, "homeless" is defined as an individual living outside or in a building not meant for human habitation or which they have no legal right to occupy, in an emergency shelter, or in a temporary housing program which may include a transitional and supportive housing program if habitation time limits exist.

Working Connections Child Care.

The Working Connections Child Care (WCCC) program provides subsidized child care for low-income families who are participating in work activities or meet other program requirements. Homeless families receive a four-month grace period in which to meet work and other requirements. The WCCC program uses the McKinney-Vento definition of homelessness.

Child Welfare.

Child protective and child welfare services are provided to families in order to protect children from child abuse and neglect.

Anyone may file a petition in court alleging that a child should be a dependent of the state due to abuse, neglect, or because there is no parent, guardian, or custodian capable of adequately caring for the child.

Poverty, homelessness, or exposure to domestic violence that is perpetuated against someone other than the child does not constitute negligent treatment or maltreatment in and of itself.

The Department of Children, Youth, and Families (DCYF) must establish a child welfare housing assistance pilot program by July 1, 2020, that provides housing support to eligible families. For the purposes of the pilot, the DCYF must consult with a stakeholder group to create eligibility criteria, including creating a definition of homelessness for the purposes of the program.

Identicards.

The Department of Licensing must issue an identicard containing a picture to an applicant who does not have a valid Washington driver's license, can prove his or her identity, and pays the required fee. For most applicants, the fee is \$54.

Applicants who are recipients of public assistance; under the age of 18 and with no permanent residence address; or have been recently released or are scheduled to be released from a juvenile institution, community facility, or other juvenile rehabilitation facility must pay a fee that is equal to the actual cost of production of the identicard.

Summary of Bill:

The definition of homelessness for purposes of prioritizing HEN funds includes a person lacking a fixed, regular, and adequate nighttime residence, including circumstances such as sharing housing of other persons.

A definition of "homeless" is added for purposes of the ECEAP and the WCCC program in accordance with McKinney-Vento.

The definition of "homeless person" for purposes of the TANF program applies to cases where a family includes a homeless child or youth as defined by McKinney-Vento.

For the purposes of child welfare, dependency proceedings, the child welfare housing assistance pilot, and for individuals who qualify for a reduced identicard fee, "experiencing homelessness" is defined as a person living outside or in a building not meant for human habitation or which they have no legal right to occupy, in an emergency shelter, a temporary housing program, or who lacks a fixed, regular, and adequate nighttime residence, including circumstances such as sharing the housing of other persons.

Appropriation: None.

Fiscal Note: Requested on January 14, 2020.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.