

HOUSE BILL REPORT

SHB 2388

As Passed House:
February 16, 2020

Title: An act relating to standardizing definitions of homelessness to improve access to services.

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

Sponsors: House Committee on Human Services & Early Learning (originally sponsored by Representatives Senn, Callan, Leavitt, Thai, Robinson, Ormsby, Macri, Wylie, Doglio, Goodman and Pollet).

Brief History:

Committee Activity:

Human Services & Early Learning: 1/22/20, 1/28/20 [DPS];
Appropriations: 2/8/20, 2/10/20 [DPS(HSEL)].

Floor Activity:

Passed House: 2/16/20, 55-40.

Brief Summary of Substitute Bill

- Adds and revises definitions of homelessness for various public assistance programs and some human services.

HOUSE COMMITTEE ON HUMAN SERVICES & EARLY LEARNING

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Senn, Chair; Callan, Vice Chair; Frame, Vice Chair; Goodman, Kilduff, Lovick and Ortiz-Self.

Minority Report: Do not pass. Signed by 6 members: Representatives Dent, Ranking Minority Member; Eslick, Assistant Ranking Minority Member; McCaslin, Assistant Ranking Minority Member; Corry, Griffey and Klippert.

Staff: Dawn Eychaner (786-7135).

HOUSE COMMITTEE ON APPROPRIATIONS

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.

Majority Report: The substitute bill by Committee on Human Services & Early Learning be substituted therefor and the substitute bill do pass. Signed by 19 members: Representatives Ormsby, Chair; Robinson, 1st Vice Chair; Bergquist, 2nd Vice Chair; Chopp, Cody, Dolan, Fitzgibbon, Hansen, Hudgins, Kilduff, Macri, Pettigrew, Pollet, Ryu, Senn, Springer, Sullivan, Tarleton and Tharinger.

Minority Report: Do not pass. Signed by 13 members: Representatives Stokesbary, Ranking Minority Member; Rude, Assistant Ranking Minority Member; Caldier, Chandler, Corry, Dye, Hoff, Kraft, Mosbrucker, Schmick, Steele, Sutherland and Ybarra.

Staff: Mary Mulholland (786-7391).

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.

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 Temporary Assistance for Needy Families (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 program, 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 Substitute Bill:

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 is expanded and 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 program, 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: Available.

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

Staff Summary of Public Testimony (Human Services & Early Learning):

(In support) There a variety of definitions of homelessness for human services programs. For a person trying to access services, he or she might have to ask themselves if they meet a specific program's definition and are "homeless enough" for the program. This bill is putting the child definition from McKinney-Vento into human services programs so that children who are experiencing trauma can receive services. Public schools use the McKinney-Vento definition. When schools try to help families with a referral, they get stuck in a confusing maze of conflicting requirements for different programs. There needs to be one definition of homelessness and a true commitment to helping these families.

(Opposed) None.

Staff Summary of Public Testimony (Appropriations):

(In support) Service providers on the front lines are struggling with administrative hurdles. Each government jurisdiction and philanthropic organization has its own definitions. Providers are excited about creating a critical mass behind a single statewide definition. A single definition will allow providers to focus more on service delivery.

(Opposed) None.

Persons Testifying (Human Services & Early Learning): Representative Senn, prime sponsor; and Peter Drury, Wellspring Family Services.

Persons Testifying (Appropriations): Melanie Smith, Wellspring Family Services.

Persons Signed In To Testify But Not Testifying (Human Services & Early Learning): None.

Persons Signed In To Testify But Not Testifying (Appropriations): None.