

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend SS/SCS/HCS/House Bill No. 1606, Page 1, Section TITLE, Lines 5-6,

2 by striking "county officials" and inserting in lieu thereof
3 the following: "political subdivisions"; and

4 Further amend, said bill, page 11, section 58.200, line
5 17, by inserting after all of said line the following:

6 "67.2300. 1. As used in this section, the following
7 terms mean:

8 (1) "Department", any department authorized to
9 allocate funds raised by the state or federal funds received
10 by the state for housing or homelessness;

11 (2) "State funds", any funds raised by the state and
12 federal funds received by the state for housing or
13 homelessness, but shall not include any federal funds not
14 able to be used for housing programs pursuant to this
15 section due to federal statutory or regulatory restrictions.

16 2. State funds for the homeless shall be used for the
17 following:

18 (1) For parking areas, each area shall provide:
19 (a) Access to potable water and electric outlets; and
20 (b) Access to bathrooms sufficient to serve all of the
21 parking areas;

22 (2) For camping facilities, individuals experiencing
23 homelessness may camp and store personal property at such
24 facilities, which shall be subject to the following:

25 (a) Individuals shall only camp and store personal
26 property at such facilities in the areas designated to each

27 individual by the agency providing the camping facilities;
28 and

29 (b) Facilities shall provide a mental health and
30 substance use evaluation as designated by a state or local
31 agency and individuals may complete such evaluation;

32 (3) For individual shelters, which shall be subject to
33 the following:

34 (a) Be suitable to house between one and three
35 individuals;

36 (b) Provide basic sleeping accommodations and access
37 to electricity;

38 (c) Provide adequate access to showers and bathroom
39 facilities; and

40 (d) Be limited to occupation by each individual for a
41 period of not more than two years;

42 (4) For congregate shelters housing more than four
43 homeless individuals in one space, state funds shall be
44 available only to the extent the shelter monitors and
45 provides programs to improve the employment, income, and
46 prevention of return to homelessness of individuals leaving
47 those shelters. The department shall provide performance
48 payments of up to ten percent for such programs that meet
49 guidelines as established by the department.

50 Individuals utilizing such facilities pursuant to this
51 subsection shall be entered into a homelessness management
52 information system maintained by the local continuum of care.

53 3. A private campground owner or an employee or
54 officer of a private campground operating such facility
55 pursuant to this section shall be subject to the provisions
56 of section 537.328.

57 4. (1) State funds otherwise used for the
58 construction of permanent housing for the homeless shall be
59 used to assist such individuals with substance use, mental

60 health treatment, and other services, including short-term
61 housing. The department shall provide up to twenty-five
62 percent of the base allocation of such funds as performance
63 payments to political subdivisions or not-for-profit
64 organizations providing such services as rewards for meeting
65 predetermined goals on reductions of:

66 (a) Days unhoused;
67 (b) Days in jail or prison; and
68 (c) Days hospitalized, with the weights of such days
69 to be determined by the department.

70 (2) Political subdivisions and not-for-profit
71 organizations may use state grants otherwise used for
72 permanent housing to conduct surveys to identify individuals
73 with the greatest number of days unhoused, in jail or
74 prison, or hospitalized but these expenses shall not exceed
75 ten percent of the total grant amount.

76 5. No person shall be permitted to use state-owned
77 lands for unauthorized sleeping, camping, or the
78 construction of long-term shelters. Any violation of this
79 subsection shall be a class C misdemeanor; however, for the
80 first offense such individual shall be given a warning, and
81 no citation shall be issued unless that individual refuses
82 to move to any offered services or shelter.

83 6. (1) A political subdivision shall not adopt or
84 enforce any policy under which the political subdivision
85 prohibits or discourages the enforcement of any order or
86 ordinance prohibiting public camping, sleeping, or
87 obstructions of sidewalks.

88 (2) In compliance with subsection 5 of this section, a
89 political subdivision shall not prohibit or discourage a
90 peace officer or prosecuting attorney who is employed by or
91 otherwise under the direction or control of the political
92 subdivision from enforcing any order or ordinance

93 prohibiting public camping, sleeping, or obstructions of
94 sidewalks.

95 (3) The provisions of this section shall not prohibit
96 a policy of any political subdivision that encourages
97 diversion programs or offering of services in lieu of a
98 citation or arrest.

99 (4) The attorney general shall have the power to bring
100 a civil action in any court of competent jurisdiction
101 against any political subdivision to enjoin the political
102 subdivision from violating the provisions of this subsection.

103 (5) The attorney general may recover reasonable
104 expenses incurred in any civil action brought under this
105 section, including court costs, reasonable attorney's fees,
106 investigative costs, witness fees, and deposition costs.

107 7. Any political subdivision with a higher per-capita
108 rate of homelessness than the state average, as determined
109 by the most recent United States census numbers for the
110 overall population and the most recent federal Department of
111 Housing and Urban Development homelessness point-in-time
112 continuum of care, as defined by 24 C.F.R. 578.5(a), in
113 which the political subdivision is located, shall, within
114 one year of the passage of this act, receive no further
115 state funding by the department until the department
116 determines:

117 (1) The political subdivision has a per-capita rate of
118 unsheltered homeless individuals at or below the state
119 average; or

120 (2) The political subdivision is in compliance with
121 subsection 6 of this act.

122 8. The department authorized to allocate funds
123 pursuant to this section may promulgate all rules and
124 regulations to implement the provisions of this section.
125 Any rule or portion of a rule, as that term is defined in

126 section 536.010, that is created under the authority
127 delegated in this section shall become effective only if it
128 complies with and is subject to all of the provisions of
129 chapter 536 and, if applicable, section 536.028. This
130 section and chapter 536 are nonseverable and if any of the
131 powers vested with the general assembly pursuant to chapter
132 536 to review, to delay the effective date, or to disapprove
133 and annul a rule are subsequently held unconstitutional,
134 then the grant of rulemaking authority and any rule proposed
135 or adopted after January 1, 2023, shall be invalid and void.

136 9. The provisions of this section, including
137 references to the disbursement of state grants and funds,
138 shall not apply to shelters for victims of domestic violence
139 as defined in section 455.200."; and

140 Further amend, said bill, page 26, section 50.810, line
141 65, by inserting after all of said line the following:

142 "Section B. The enactment of section 67.2300 of this
143 act shall become effective on January 1, 2023."; and

144 Further amend the title and enacting clause accordingly.