

SUBJECT: Continuing the Interagency Council for the Homeless

COMMITTEE: Urban Affairs — favorable, without amendment

VOTE: 8 ayes — Carter, Bailey, Burnam, Callegari, Ehrhardt, Hill, E. Jones, Najera
0 nays
1 absent — Edwards

WITNESSES: For — *Registered but did not testify*: Reymundo Ocañas, Texas Association of Community Development Corporations

Against — None

On — Greg Gibson, Texas Interagency Council for the Homeless; Kathy Reid, Texas Homeless Network; *Registered but did not testify*: Lisa Mogil, Sunset Advisory Commission

BACKGROUND: In 1989, the Legislature created the Interagency Council for the Homeless to coordinate the state's resources and services for homeless people. The council is not a policymaking body and has no funding or full-time staff, although it receives clerical and advisory support from the Texas Department of Housing and Community Affairs (TDHCA). Many of the council's statutory duties are fulfilled by the Texas Homeless Network, a nonprofit organization, through a contract with TDHCA.

The council's major duties include:

- ! developing, in cooperation with TDHCA and the Health and Human Services Commission (HHSC), a strategic plan to address the needs of homeless people in Texas;
- ! providing technical assistance to TDHCA's housing finance division in assessing the need for housing for people with special needs;
- ! surveying available resources for the homeless and evaluating current and future needs for these services;
- ! helping to coordinate and provide statewide services to the homeless;
- ! increasing the flow of information among separate providers and appropriate authorities; and

- ! establishing a central resource and information center for homeless people in Texas.

The council comprises representatives from each state agency that affects the homeless, either directly or indirectly, and representatives of certain state officials. Members include HHSC, Texas Department of Health, Texas Department of Human Services, Texas Department of Mental Health and Mental Retardation, Texas Department of Criminal Justice, Texas Department on Aging, Texas Rehabilitation Commission, Texas Education Agency, Texas Commission on Alcohol and Drug Abuse, Texas Department of Protective and Regulatory Services, Texas Workforce Commission, Texas Youth Commission, Texas Veterans Commission, workforce development division of the Texas Department of Commerce, Comptroller's Office, community affairs and housing finance divisions of TDHCA, and three members representing service providers to the homeless, one each appointed by the governor, lieutenant governor, and House speaker. Members serve at the pleasure of the appointing official or until leaving the employment of the state agency, official, or service provider that the member represents.

The council is subject to the Texas Sunset Act and will expire on September 1, 2001, unless continued by the Legislature.

DIGEST:

HB 3450 would discontinue the Interagency Council on the Homeless as an independent entity and would recreate the council as an advisory committee to TDHCA. The department would be designated as the lead agency for addressing the problem of homelessness in Texas and for coordinating interagency efforts to address homelessness. The council could recommend policies to the board, and the board would have to justify its decision in writing if it did not accept the council's recommendations.

Council members would have to have administrative authority for the homeless programs and services of the agencies they represented and authority to make decisions for and commit their agencies' resources, subject to the approval of the agency's administrative head.

Each agency represented on the council would have to contribute resources to the council, and each would have to report to TDHCA a standard set of performance data, as determined by the department, on the agency's outcomes related to homelessness.

The bill would remove the council's responsibility to develop a strategic plan to address homelessness in cooperation with TDHCA and HHSC. Instead, TDHCA would have to consider the council's recommendations in the department's strategic plan. The council would have to ensure that local or statewide nonprofit organizations performed the duties that the council could not perform.

HB 3450 also would:

- ! remove a representative of the workforce development division of the Texas Department of Commerce as a member of the council, and
- ! authorize the council to hold public hearings throughout the state on homelessness issues and require the council to provide notice of these hearings in the *Texas Register*, local newspapers, any newsletter published by a nonprofit organization addressing the problem of homelessness, and other appropriate sources.

This bill would take effect September 1, 2001.

SUPPORTERS
SAY:

HB 3450 would improve the state's responsiveness to the needs of the homeless by designating TDHCA as the agency with primary responsibility for addressing issues of homelessness at the state level. In addition to providing a single point of accountability for these issues, specifying a lead agency would provide a venue for directing state policy on issues of homelessness and would result in better coordination of state services for the homeless, which are scattered across many agencies. TDHCA is the logical place to invest this responsibility because its housing programs address one of the most basic needs of homeless people.

The Interagency Council for the Homeless would continue to fulfill its current statutory duties as an advisory committee to TDHCA. This move would allow the council to recommend policy changes for the department to implement. Under the current arrangement, the council lacks the authority to make a direct impact on homelessness. Although the council has drafted a policy statement on homelessness, no member agency has adopted or implemented the council's recommendations. The reorganization also would increase the visibility of issues of homelessness by housing those issues in a more visible, active agency. Requiring the council to publicize its public hearings also would increase the council's visibility.

HB 3450 also would enhance the council's impact on homelessness by requiring that council members have the authority to make decisions and commit resources on their agencies' behalf. This authority is critical to ensure that the council's recommendations for improving the state's response to homelessness are implemented by the members' respective agencies. This authority also should aid in the establishment of more interagency projects, the lack of which has led to criticism of the council.

The bill would enhance state data on homelessness and the impact of state services on homelessness by requiring each agency represented in the council to report a standard set of data on the outcomes of its homeless programs. This information would help the state refine its programs on homelessness and would ensure that services are not duplicated.

**OPPONENTS
SAY:**

The Interagency Council for the Homeless already is the primary state vehicle for addressing issues of homelessness at the state level. While designating a lead agency on homeless issues and services may be appropriate, primary responsibility for addressing homelessness in Texas should remain with the council, because the problem of homelessness involves many social service areas, not just housing. Moreover, it would be preferable for an independent body to coordinate the efforts of the various agencies, rather than give one agency authority over another.

Placing members of state agencies in an advisory role to another agency could create a practical and ethical dilemma for council members. If there is a need to improve accountability or leadership on issues of homelessness, the Legislature should strengthen the council's role. The council should have a dedicated stream of funding, either through the appropriations process or from the member agencies, to help it meet its statutory requirements and increase its capability to suggest and implement new programs.

Reorganizing the council as an advisory committee under TDHCA would place the council at risk of being abolished by the department, as permitted under Government Code, sec. 2110.008. The problem of homelessness in Texas is too great to risk losing the only state entity dedicated exclusively to this issue.

HB 3450 could impose a financial burden on state agencies, who could be required to report to TDHCA a standard set of performance data on the

agencies' outcomes related to homelessness. Many of the member agencies do not gather or report statistics on their services to homeless persons. Furthermore, the council ought to determine the set of standard data, rather than investing this authority in one agency over others.

HB 3450 would not define adequately the resources that member agencies would have to contribute, such as whether those resources would include time, staff, and/or money, and how the council's resource requirements should be divided among member agencies. Nor would the bill provide any recourse to TDHCA if a member agency did not provide the level of resources the department thought appropriate.

OTHER
OPPONENTS
SAY:

HB 3450 should include on the council a representative of the Texas Department of Agriculture (TDA). Issues of hunger are central to the problem of homelessness, and a TDA representative would increase the council's expertise on and ability to address these issues.

NOTES:

The companion bill, SB 319 by Lucio, has been referred to the Senate Health and Human Services Committee.