

Senate Study Bill 3008 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED IOWA FINANCE
AUTHORITY BILL)

A BILL FOR

1 An Act relating to the membership, procedures, and functions of
2 the Iowa council on homelessness.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 16.2D, subsection 1, Code 2022, is
2 amended to read as follows:

3 1. A council on homelessness is created consisting of
4 ~~thirty-eight voting~~ nineteen members, eleven of whom are voting
5 members and eight of whom are nonvoting members. ~~At all times,~~
6 ~~at least one voting member shall be a member of a minority~~
7 ~~group.~~

8 Sec. 2. Section 16.2D, subsection 2, paragraph a, Code 2022,
9 is amended to read as follows:

10 a. (1) Eleven voting members ~~of~~ from the general
11 public appointed to two-year staggered terms by the governor
12 in consultation with the nominating committee under subsection
13 4, ~~paragraph "a".~~

14 ~~(1)~~ (2) Voting members Members from the general
15 public may include but are not limited to the following
16 types of individuals and representatives of the following
17 programs: homeless or formerly homeless individuals
18 and their family members, youth shelters, faith-based
19 organizations, local homeless service providers, emergency
20 shelters, transitional housing providers, family and domestic
21 violence shelters, private business, local government, and
22 community-based organizations.

23 ~~(2)~~ (3) Five Two of the ~~twenty-six voting~~ eleven members
24 selected from the general public shall be individuals who are
25 homeless, formerly homeless, or family members of homeless or
26 formerly homeless individuals.

27 ~~(3) One of the twenty-six members selected from the general~~
28 ~~public shall be a representative of the Iowa state association~~
29 ~~of counties.~~

30 ~~(4) One of the twenty-six members selected from the general~~
31 ~~public shall be a representative of the Iowa league of cities.~~

32 Sec. 3. Section 16.2D, subsection 2, paragraph b, Code 2022,
33 is amended by striking the paragraph and inserting in lieu
34 thereof the following:

35 b. Eight nonvoting agency director members consisting of all

1 of the following:

2 (1) The director of the department of education or the
3 director's designee.

4 (2) The director of human services or the director's
5 designee.

6 (3) The attorney general or the attorney general's
7 designee.

8 (4) The director of public health or the director's
9 designee.

10 (5) The director of the department on aging or the
11 director's designee.

12 (6) The director of the department of corrections or the
13 director's designee.

14 (7) The director of the department of workforce development
15 or the director's designee.

16 (8) The executive director of the Iowa finance authority or
17 the executive director's designee.

18 Sec. 4. Section 16.2D, subsection 3, Code 2022, is amended
19 by striking the subsection.

20 Sec. 5. Section 16.2D, subsection 4, paragraph a, Code 2022,
21 is amended by striking the paragraph and inserting in lieu
22 thereof the following:

23 a. The council shall annually elect five members to a
24 nominating committee, at least two of whom shall be nonvoting
25 members and at least two of whom shall be voting members. The
26 governor shall appoint members of the general public to the
27 council from names the nominating commission submits to the
28 governor.

29 Sec. 6. Section 16.2D, subsection 6, paragraphs a and b,
30 Code 2022, are amended by striking the paragraphs and inserting
31 in lieu thereof the following:

32 a. Seven voting members of the council shall constitute
33 a quorum. Any action taken by the council shall require the
34 affirmative vote of a majority of the quorum. The majority
35 shall not include any member who has a conflict of interest

1 and a statement by a member who asserts a conflict of interest
2 shall be conclusive for this purpose.

3 *b.* The council shall annually elect a chairperson and vice
4 chairperson from the membership of the council, and other
5 officers as determined by the council.

6 Sec. 7. Section 16.2D, subsection 8, paragraphs d and e,
7 Code 2022, are amended by striking the paragraphs.

8 Sec. 8. Section 16.2D, subsection 9, Code 2022, is amended
9 by striking the subsection and inserting in lieu thereof the
10 following:

11 9. The council shall file a point-in-time report on
12 homelessness in Iowa with the governor and the general assembly
13 on or before December 1 of each year.

14 Sec. 9. TRANSITION — APPOINTMENT AND TERM OF MEMBERS ON THE
15 IOWA COUNCIL ON HOMELESSNESS. Notwithstanding any provision of
16 section 16.2D, Code 2022, and any provision to the contrary as
17 enacted in this Act, the terms of all members from the general
18 public serving on the Iowa council of homelessness on July 1,
19 2022, shall terminate as of that date. The governor shall
20 appoint eleven members of the general public to the council
21 from names submitted by a nominating committee comprised of
22 the eight agency director members on the council. It is the
23 intent of the general assembly that the governor should appoint
24 at least eight members from the general public whose terms
25 terminated on July 1, 2022, in the interest of maintaining
26 institutional knowledge on the council. All new general public
27 members shall be appointed by not later than September 1, 2022,
28 with five members appointed to terms ending June 30, 2023, and
29 six members appointed to terms ending June 30, 2024. All terms
30 beginning on or after July 1, 2023, shall be subject to the
31 provision of this Act amending section 16.2D, subsection 2,
32 paragraph "a".

33

EXPLANATION

34 The inclusion of this explanation does not constitute agreement with
35 the explanation's substance by the members of the general assembly.

1 This bill relates to the membership, procedures, and
2 functions of the Iowa council on homelessness (council). Under
3 current law, the council has 38 voting members consisting of 26
4 members of the general public (public) and 12 agency directors.
5 Under the bill, there are 19 members consisting of 11 voting
6 members from the public and 8 nonvoting agency directors.
7 Under the bill, the directors of the economic development
8 authority, the department of human rights, the department of
9 public safety, and the department of veterans affairs are no
10 longer members of the committee.

11 Under current law, the nominating committee (committee) is
12 comprised of the 12 agency directors, unless the composition
13 of the committee is modified by rule. The bill requires the
14 council to annually elect five members to the committee, at
15 least two of whom must be nonvoting members and at least two of
16 whom must be voting members.

17 Under current law, a majority of the members of the council
18 constitute a quorum and any action taken by the council must
19 be adopted by the affirmative vote of a majority of its
20 membership. Under the bill, seven voting members of the
21 council constitute a quorum and any action taken by the council
22 requires the affirmative vote of a majority of the quorum.
23 The majority cannot include any member who has a conflict of
24 interest and a statement by a member who asserts a conflict
25 of interest is conclusive for this purpose. Under current
26 law, the council is required to elect a chairperson and vice
27 chairperson and each serves a two-year term. Under the bill,
28 each serves a one-year term.

29 The bill eliminates the council's duties to use existing
30 resources to prevent persons from becoming homeless and to
31 eliminate factors that keep people homeless, and to identify
32 and use federal and other funding to address and reduce
33 homelessness within the state. The bill also eliminates the
34 requirement that the council make annual recommendations to the
35 governor regarding matters which impact homelessness, and that

1 the council assist in the completion of the state's continuum
2 of care application to the United States department of housing
3 and urban development.

4 Current law requires the council to file a report on
5 homelessness with the governor and the general assembly in
6 odd-numbered years. The bill requires the council to file an
7 annual point-in-time report on homelessness in Iowa with the
8 governor and the general assembly.

9 Notwithstanding any provision of Code section 16.2D,
10 Code 2022, and any provision as enacted in this bill to the
11 contrary, the term of all members of the general public who
12 currently serve on the council shall terminate effective July
13 1, 2022. The governor shall appoint 11 members of the public
14 to the council from names submitted by a committee comprised
15 of all eight agency director members of the council. It is the
16 intent of the general assembly that the governor should appoint
17 at least eight members of the public whose terms terminate
18 July 1, 2022, in the interest of maintaining institutional
19 knowledge on the council. All new general public members
20 shall be appointed on or before September 1, 2022, with five
21 members appointed to terms ending on June 30, 2023, and six
22 members appointed to terms ending on June 30, 2024. All terms
23 beginning on or after July 1, 2023, are for two years as
24 detailed in the bill.