

# State of Wisconsin



2019 Assembly Bill 119

Date of enactment: **January 28, 2020**

Date of publication\*: **January 29, 2020**

## 2019 WISCONSIN ACT 76

AN ACT *to repeal* 16.308 (5) (c); *to renumber and amend* 16.308 (3m); and *to create* 16.308 (3m) (b) to (i) and 16.308 (3s) of the statutes; **relating to:** grants to homeless shelters and modifying administrative rules promulgated by the Department of Administration.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

**SECTION 1.** 16.308 (3m) of the statutes is renumbered 16.308 (3m) (intro.) and amended to read:

16.308 (3m) GRANT ELIGIBILITY. (intro.) In awarding grants under this section, the department shall consider whether all of the following:

(a) Whether the community in which an eligible applicant provides services has a coordinated system of services for homeless individuals and families.

**SECTION 2.** 16.308 (3m) (b) to (i) of the statutes are created to read:

16.308 (3m) (b) The number of shelter days the eligible applicant intends to provide during the year for which the grant application is submitted.

(c) The eligible applicant's history of successfully transitioning homeless individuals or families to permanent housing.

(d) Whether the eligible applicant provides intensive case management services.

(e) Whether the eligible applicant provides trauma-informed care.

(f) Whether the eligible applicant provides opportunities for shelter residents to obtain employment, increase their income, or increase their hours worked.

(g) The utilization rate of each unit at each shelter facility operated by the eligible applicant.

(h) The average length of stay of shelter residents at each shelter facility operated by the eligible applicant.

(i) The percentage of shelter residents served by the eligible applicant that is chronically homeless.

**SECTION 3.** 16.308 (3s) of the statutes is created to read:

16.308 (3s) IMPLEMENTATION OF ELIGIBILITY CRITERIA. (a) 1. In each fiscal year of the 2019–21 fiscal biennium, all amounts expended under this section that exceed the amount shown in the schedule under s. 20.005 (3) for the 2018–19 fiscal year may be expended only for grants awarded after the department considers the eligibility criteria specified in sub. (3m) (b) to (i).

2. The department shall phase in over fiscal years 2019–20, 2020–21, 2021–22, and 2022–23 the award of grants based on consideration of the eligibility criteria specified in sub. (3m) (b) to (i). Beginning in fiscal year 2023–24, 100 percent of the grants awarded under this section shall be awarded after the department considers all of the eligibility criteria specified in sub. (3m) (a) to (i).

(b) Before the department awards a grant based on consideration of the eligibility criteria specified in sub.

\* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

(3m) (b) to (i), the department shall consider whether an eligible applicant's rules, policies, or procedures for providing services to homeless individuals and families have an impact on how one or more of those criteria apply with respect to the eligible applicant and may adjust any grant award accordingly.

**SECTION 3g.** 16.308 (5) (c) of the statutes is repealed.

**SECTION 4.** Adm 86.03 (1) of the administrative code is amended to read:

Adm 86.03 (1) The department shall solicit applications for grants under s. 16.308, Stats., and this chapter at least once every 2 years.

**SECTION 5.** Adm 86.05 (2) (a) (intro.) of the administrative code is amended to read:

Adm 86.05 (2) (a) (intro.) A lead agency located in Dane county or Milwaukee county may receive, before July 1, 1987, a grant of not more than 35% and after June 30, 1987, a grant of not more than ~~25%~~ 50% of the total current or proposed operating budgets of:

**SECTION 6.** Adm 86.05 (2) (b) of the administrative code is amended to read:

Adm 86.05 (2) (b) An eligible applicant which is not located in Dane county or Milwaukee county may receive a grant ~~or of~~ not more than ~~25%~~ 50% of:

1. The current or proposed operating budget of one or more shelter facilities operated by the applicant; or
2. The portion of the applicant's current or proposed operating budget allocated for providing homeless persons with vouchers that may be exchanged for temporary shelter.

**SECTION 6m. Nonstatutory provisions.**

(1) In the 2019–21 fiscal biennium, if the department of administration requests under s. 13.101 (3) that the joint committee on finance supplement the appropriation under s. 20.505 (7) (fm) for the purpose of providing grants under s. 16.308 (2) (a), the committee may supplement that appropriation for that purpose without finding that an emergency exists under s. 13.101 (3) (a) 1.

(1g) MEDICAL ASSISTANCE WAIVER FOR ASSISTANCE IN OBTAINING HOUSING. The department of health services shall submit to the federal department of health and human services a request for a waiver of federal Medicaid law or a state Medical Assistance plan amendment that allows the department of health services to provide under the Medical Assistance program intensive case management services to assist Medical Assistance recipients who are homeless in obtaining permanent housing. If the federal department of health and human services does not disapprove the request under this subsection, the department of health services shall implement the waiver or state plan amendment.

(1k) PAYMENT TO THE GENERAL FUND. No later than June 30, 2020, the Wisconsin Housing and Economic Development Authority shall pay \$1,000,000 from the authority's surplus fund, as specified in s. 234.165 (1), to the secretary of administration for deposit in the general fund. The payment under this subsection is not subject to s. 234.165 (2) (c) and may, at the discretion of the Wisconsin Housing and Economic Development Authority, include surplus amounts previously approved for expenditure for another purpose under s. 234.165 (2) (b).