



# Senate

General Assembly

**File No. 648**

February Session, 2010

Substitute Senate Bill No. 292

*Senate, April 27, 2010*

The Committee on Appropriations reported through SEN. HARP of the 10th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

## **AN ACT CONCERNING HOMELESS YOUTH.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2010*) (a) As used in this  
2 section:

3 (1) "Homeless youth" means a person under twenty-one years of age  
4 who is without shelter where appropriate care and supervision are  
5 available and who lacks a fixed, regular and adequate nighttime  
6 residence, including youth under the age of eighteen whose parent or  
7 legal guardian is unable or unwilling to provide shelter and  
8 appropriate care;

9 (2) "Fixed, regular and adequate nighttime residence" means a  
10 dwelling at which a person resides on a regular basis that adequately  
11 provides safe shelter, including (A) a publicly or privately operated  
12 institutional shelter designed to provide temporary living  
13 accommodations; (B) transitional housing; or (C) a temporary  
14 placement with a peer, friend or family member who has not offered a

15 permanent residence, residential lease or temporary lodging for more  
16 than thirty days; and

17 (3) "Aftercare services" means continued counseling, guidance or  
18 support for not more than six months following the provision of  
19 services.

20 (b) The Department of Children and Families shall establish a  
21 program that provides public outreach, shelter and transitional living  
22 services for homeless youth and youth at risk of homelessness. The  
23 department may enter into a contract with nonprofit organizations or  
24 municipalities to implement this section. Such program shall have the  
25 following components:

26 (1) A public outreach and drop-in component that provides youth  
27 drop-in centers with walk-in access to crisis intervention and ongoing  
28 supportive services, including one-to-one case management services  
29 on a self-referral basis and public outreach that locates, contacts and  
30 provides information, referrals and services to homeless youth and  
31 youth at risk of homelessness. Such component shall include, but not  
32 be limited to, information, referrals and services for (A) family  
33 reunification services, conflict resolution or mediation counseling; (B)  
34 temporary emergency shelter, case management aimed at obtaining  
35 food, clothing, medical care or mental health counseling, counseling  
36 regarding violence, prostitution, substance abuse, sexually transmitted  
37 diseases, HIV and pregnancy, and referrals to agencies that provide  
38 support services to homeless youth and youth at risk of homelessness;  
39 (C) education, employment and independent living skills; (D) aftercare  
40 services; and (E) specialized services for highly vulnerable homeless  
41 youth, including teen parents, sexually-exploited youth and youth  
42 with mental illness or developmental disabilities;

43 (2) An emergency shelter component that provides homeless youth  
44 with referrals and walk-in access to short-term residential care on an  
45 emergency basis that includes voluntary housing, with private shower  
46 facilities, beds and at least one meal each day, and assistance with  
47 reunification with family or a legal guardian when required or

48 appropriate. Services provided at emergency shelters may include, but  
49 need not be limited to, (A) family reunification services or referral to  
50 safe housing; (B) individual, family and group counseling; (C)  
51 assistance in obtaining clothing; (D) access to medical and dental care  
52 and mental health counseling; (E) education and employment services;  
53 (F) recreational activities; (G) case management, advocacy and referral  
54 services; (H) independent living skills training; and (I) aftercare  
55 services and transportation; and

56 (3) A transitional living component that (A) assists homeless youth  
57 in finding and maintaining safe housing, and (B) includes rental  
58 assistance and related supportive services. Such component shall  
59 include, but not be limited to, (i) educational assessment and referral to  
60 educational programs; (ii) career planning, employment, job skills  
61 training and independent living skills training; (iii) job placement; (iv)  
62 budgeting and money management; (v) assistance in securing housing  
63 appropriate to needs and income; (vi) counseling regarding violence,  
64 prostitution, substance abuse, sexually transmitted diseases and  
65 pregnancy, referral for medical services or chemical dependency  
66 treatment; and (vii) parenting skills, self-sufficiency support services or  
67 life skills training and aftercare services.

68 Sec. 2. (NEW) (*Effective October 1, 2010*) A public or private agency  
69 serving children and youth may provide services to a homeless child  
70 or youth, as defined in 42 USC 11434a, unless the parent or guardian  
71 does not consent to such services or withdraws such consent. Such  
72 agency shall make all reasonable efforts to contact the parent or  
73 guardian for consent and shall be immune from liability, civil or  
74 criminal, which might otherwise be incurred or imposed, provided the  
75 agency provided such services in good faith and not negligently.

76 Sec. 3. (NEW) (*Effective October 1, 2010*) On or before February 1,  
77 2012, and annually thereafter, the Commissioner of Children and  
78 Families, using the format prescribed by the results-based  
79 accountability subcommittee of the joint standing committee of the  
80 General Assembly having cognizance of matters relating to

81 appropriations and the budgets of state agencies, shall submit a  
 82 results-based accountability report card of the program established  
 83 under section 1 of this act, in accordance with section 11-4a of the  
 84 general statutes, to the select committee of the General Assembly  
 85 having cognizance of matters relating to children. The report card shall  
 86 include recommendations for any changes to the program to ensure  
 87 that the best available services are being delivered to homeless youth  
 88 and youth at risk of homelessness.

89 Sec. 4. (NEW) (*Effective July 1, 2010*) There is established an account  
 90 to be known as the "homeless youth account" which shall be a  
 91 separate, nonlapsing account within the General Fund. The account  
 92 shall contain any moneys required by law to be deposited in the  
 93 account. Moneys in the account shall be expended by the  
 94 Commissioner of Children and Families for the purpose of establishing  
 95 and administering the program established in section 1 of this act.

96 Sec. 5. (*Effective from passage*) The following sums appropriated  
 97 under section 11 of public act 09-3 of the June special session to the  
 98 Department of Children and Families shall not be used for such  
 99 purposes and shall be transferred to the account established in section  
 100 4 of this act, for the purpose of establishing and operating the program  
 101 established in section 1 of this act, during the fiscal year ending June  
 102 30, 2011: \$400,000 for Emergency Needs and \$600,000 for Board and  
 103 Care for Children - Foster.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2010</i>	New section
Sec. 2	<i>October 1, 2010</i>	New section
Sec. 3	<i>October 1, 2010</i>	New section
Sec. 4	<i>July 1, 2010</i>	New section
Sec. 5	<i>from passage</i>	New section

**APP** Joint Favorable Subst.

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

**OFA Fiscal Note**

**State Impact:**

Agency Affected	Fund-Effect	FY 11 \$	FY 12 \$
Children & Families, Dept.	GF - See Below	See Below	See Below
Various State Agencies	Various - Cost Avoidance	Potential	Potential

Note: GF=General Fund

**Municipal Impact:**

Municipalities	Effect	FY 11 \$	FY 12 \$
Various Municipalities	Cost Avoidance	Potential	Potential

**Explanation**

The bill requires the Department of Children and Families (DCF) to establish a program for homeless youth and youth at-risk of homelessness.<sup>1</sup> It directs \$1.0 million from the agency's FY 11 appropriation to a new Homeless Youth Account for this purpose.

It is anticipated, per legislative intent, that the \$1 million will be transferred from the department's appropriation for discretionary/flexible funding. An estimated \$23.7 million will be expended for this purpose in FY 10. It should be noted that a \$6 million reduction to discretionary/flexible funding has been included within sHB 5018 (the Revised FY 11 Appropriations Act, as favorably reported by the Appropriations Committee).

---

<sup>1</sup> While reliable counts of homeless youth are not available, a Department of Housing and Urban Development survey found 367 unaccompanied children under eighteen in Connecticut in 2005.

Costs of the bill's required service types would be expected to approximate the following:

	Annual Cost
Drop-in Programs, per site	\$20,000
Emergency Youth Shelter, per bed	\$55,000
Transitional Living, per bed	\$62,050
Public Outreach Campaign	\$35,000

Following implementation, the department would be able to produce the required results-based-accountability report card without incurring a fiscal impact.

Section 2 renders immune from civil or criminal liability any public agency serving a homeless child or youth, after making reasonable efforts to contact the parent/guardian for consent, unless consent is refused or withdrawn. This could result in savings for state or municipal entities by precluding litigation and/or judgment awards or settlements.

### ***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

Sources:   <i>Office of Legislative Research, "Poverty, Homelessness, and Children." July, 2008.</i>
--

**OLR Bill Analysis****sSB 292*****AN ACT CONCERNING HOMELESS YOUTH.*****SUMMARY:**

This bill requires the Department of Children and Families (DCF) to establish a program for homeless youth and youth at risk of becoming homeless. The program may include (1) public outreach, (2) emergency shelter, and (3) transitional living services. DCF can contract with nonprofit organizations or towns to implement its program...

The bill also establishes a nonlapsing "homeless youth account" within the General Fund and directs the DCF commissioner to administer the program. The account must contain any funds required by law to be deposited in it, including a transfer of \$400,000 from FY 09 DCF's (1) emergency needs appropriation and (2) \$600,000 from its board and care for foster children.

Under the bill, the commissioner must submit annual results-based accountability report cards to the Children's Committee beginning February 1, 2012.

EFFECTIVE DATE: October 1, 2010

**DEFINITIONS*****Homeless Youth***

Under the bill, a homeless youth is a person under age 21 without shelter where appropriate care and supervision are available and who lacks a fixed, regular, and adequate nighttime residence, including youth under the age of 18 whose parent or legal guardian is unable or unwilling to provide shelter and appropriate care.

***Fixed, Regular, and Adequate Nighttime Residence***

The bill defines “fixed, regular, and adequate nighttime residence” as a dwelling where a person resides on a regular basis that adequately provides safe shelter, including (1) a publicly or privately operated institutional shelter designed to provide temporary living accommodations; (2) transitional housing; or (3) temporarily living with a peer, friend, or family member who has not offered a permanent residence, residential lease, or temporary lodging for more than 30 days.

### **Aftercare Services**

“Aftercare services” are continued counseling, guidance, or support up to six months following the provision of services.

### **PUBLIC OUTREACH**

Under the bill, a public outreach and drop-in component is one that provides youth drop-in centers with walk-in access to crisis intervention and ongoing support services. Services include one-to-one case management services on a self-referral basis and public outreach that locates, contacts, and provides information, referrals, and services to homeless youth and youth at risk of homelessness. This component must include information, referrals, and services for:

1. family reunification, conflict resolution, or mediation counseling;
2. temporary emergency shelter; case management aimed at obtaining food, clothing, and medical care or mental health counseling, counseling regarding violence, prostitution, substance abuse, sexually transmitted diseases, HIV, and pregnancy; and referrals to agencies for support services.
3. improving education, employment, and independent living skills;
4. aftercare; and
5. specialized services for highly vulnerable homeless youth, including teen parents and those who have been sexually-

exploited or have mental illness or developmental disabilities.

### **EMERGENCY SHELTER**

The program must also include an emergency shelter component providing homeless youth referrals and walk-in access to short-term residential care on an emergency basis. This includes voluntary housing with private shower facilities, beds, and at least one meal a day, and assistance with reunification with family or a legal guardian when required or appropriate.

Services provided at emergency homeless shelters may include:

1. family reunification services or referral to safe housing;
2. individual, family, and group counseling;
3. assistance in obtaining clothing;
4. access to medical and dental care and mental health counseling;
5. access to education and employment services;
6. recreational activities;
7. case management, advocacy, and referrals;
8. independent living skills training; and
9. aftercare and transportation

### **TRANSITIONAL LIVING**

The program must also have a transitional living component that assists homeless youth in finding and maintaining safe housing and includes rental assistance and related support services. It must include:

1. educational assessment and referrals to educational programs;
2. career planning, employment, job and independent living skills training;

3. job placement;
4. budgeting and money management;
5. assistance in getting housing appropriate to needs and income;
6. counseling about violence, prostitution, substance abuse, sexually transmitted diseases and pregnancy or referrals for medical services or drug or alcohol dependence;
7. parenting skills, self-sufficiency support services or life skills training; and
8. aftercare.

### **PARENTAL NOTIFICATION**

The bill allows agencies to provide services to homeless children and youth unless a parent refuses to give or rescinds permission. Agencies must make all reasonable efforts to contact a parent or guardian for consent and presumably must stop providing services when the parent objects. But since the age of majority is 18 (or 16 if the child is legally emancipated) parental permission for this group cannot be required.

If the agency acts in good faith and without negligence, under the bill they are immune from liability. However, it is unclear if this provision has any legal effect, as agencies are ordinarily not liable for acts undertaken without negligence.

### **REPORT CARDS**

Under the bill, beginning February 1, 2012, the DCF commissioner must submit a results-based accountability report card for the program. She must use the format prescribed by the results-based subcommittee of the Appropriations Committee and submit it to the Children's Committee.

The report card must include recommendations for any changes to the program to ensure that the best available services are being

delivered to homeless youth and youth at risk of homelessness.

## **BACKGROUND**

### ***Legislative History***

On April 14 the Senate referred the bill (File 345) to the Appropriations Committee, which voted out a substitute, establishing the homeless youth account and transferring funds into the account.

## **COMMITTEE ACTION**

Select Committee on Children

Joint Favorable Substitute Change of Reference  
Yea 11 Nay 1 (03/09/2010)

Human Services Committee

Joint Favorable  
Yea 16 Nay 3 (03/23/2010)

Appropriations Committee

Joint Favorable Substitute  
Yea 49 Nay 0 (04/19/2010)