

Date of Hearing: March 29, 2023

ASSEMBLY COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT

Buffy Wicks, Chair

AB 1215 (Wendy Carrillo) – As Introduced February 16, 2023

SUBJECT: Pets Assistance With Support Grant Program: homeless shelters: domestic violence shelters: pets

SUMMARY: Requires the Department of Housing and Community Development (HCD) to establish a grant program to provide funding to homeless shelters and domestic violence shelters to provide shelter, food, and basic veterinary services for pets owned by individuals experiencing homelessness or escaping domestic violence, as specified. Specifically, **this bill:**

- 1) Requires HCD to establish the Pets Assistance with Support (PAWS) Grant Program, a grant program to provide qualified homeless shelters with shelter, food, and basic veterinary services for pets owned by individuals experiencing homelessness.
- 2) Defines “qualified homeless shelter” as a shelter that meets all of the following conditions:
 - a) It has rules of conduct and responsibility regarding pets and their owners;
 - b) It provides crates or kenneling either near bunks or in a separate area;
 - c) It provides food for both people experiencing homelessness, and their pets; and
 - d) It offers veterinary services, including, but not limited to, spaying and neutering services and behavioral support.
- 3) Defines “qualified domestic violence shelter” to mean a shelter serving individuals seeking to escape domestic violence, as defined, and which also meets the criteria in 2a) – 2d) above.
- 4) Specifies that HCD may use up to 7 percent of the funds for program administration.
- 5) Allows HCD to implement the program through the issuance of forms, guidelines, and one or more notices of funding availability, as the department deems necessary, to exercise the powers and perform the duties conferred on it by this chapter. Any forms, guidelines, and notices of funding availability adopted pursuant to this section are exempted from the rulemaking provisions of the Administrative Procedure Act, as specified.
- 6) Makes this program contingent upon funding in the Budget Act.
- 7) States the intent of the Legislature to provide a future appropriation in the amount \$32,200,000 over three years for the purpose of administering this chapter to fund the program.

EXISTING LAW:

- 1) Creates the California Interagency Council on Homelessness (CA-ICH) within the Business, Consumer Services, and Housing Agency. (Welfare and Institutions (WIC) Code Section 8257 *et seq.*)

- 2) Establishes the Homeless Housing, Assistance, and Prevention (HHAP) program to provide jurisdictions with one-time grant funds to support regional coordination and expand or develop local capacity to address their immediate homelessness challenges informed by a best-practices framework focused on moving homeless individuals and families into permanent housing and supporting the efforts of those individuals and families to maintain their permanent housing. (Health and Safety Code (HSC) Section 50217)
- 3) Creates the Homeless Emergency Aid program (HEAP) for the purpose of providing localities with one-time flexible block grant funds to address their immediate homelessness challenges. (HSC Section 50211)
- 4) Defines a “Low Barrier Navigation Center” to mean a Housing First, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. “Low Barrier” means best practices to reduce barriers to entry, and may include, but is not limited to, the following:
 - a) The presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth;
 - b) Pets;
 - c) The storage of possessions; and
 - d) Privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two beds, or private rooms. (Government Code (GC) Section 65660(a) *et seq.*)
- 5) Defines domestic abuse to mean “domestic violence” abuse perpetrated against any of the following persons:
 - a) spouse or former spouse;
 - b) A cohabitant or former cohabitant, as defined;
 - c) A person with whom the respondent is having or has had a dating or engagement relationship;
 - d) A person with whom the respondent has had a child, where the presumption applies that the male parent is the father of the child of the female parent under the Uniform Parentage Act;
 - e) A child of a party or a child who is the subject of an action under the Uniform Parentage Act, where the presumption applies that the male parent is the father of the child to be protected; or
 - f) Any other person related by consanguinity or affinity within the second degree. (Family Code (FAMC) Section 6211 *et seq.*)

FISCAL EFFECT: Unknown

COMMENTS:

Author's statement: According to the author, "On any given night in California, at least 161,000 people are without a home. Many of these individuals refuse housing and services if doing so requires them to abandon their most treasured belonging – their pet. This happens all too often as a majority of shelters, motels, and other assisted housing programs do not permit animals on their property, pushing potential beneficiaries to live on the street.

SB 513 offers a common-sense solution by making permanent the highly successful Pet Assistance and Support (PAS) Program, which awards grants to shelters serving the needs of both individuals experiencing homelessness and their animal companions. By requiring HCD to provide further support for the PAS Program, we provide for individuals who otherwise would not receive essential services, such as medical and living assistance, out of fear of losing their animal companion. In other words, we support both ends of the leash."

Homelessness in California: Based on the 2022 point in time count, California has the largest homeless population in the nation with 173,000 people experiencing homelessness on any given night. Over two-thirds of those people, are unsheltered, meaning they are living outdoors and not in temporary shelters. A recent report from California 100 notes that increases in housing costs contribute to the state's homelessness crisis and notes "the rate of homelessness in California, at 40.9 per 10,000 residents, is fourth highest in the nation after Washington DC, New York, and Hawaii. Indeed, more than one-quarter of people who are experiencing homelessness in the United States live in California, though the state is home to only 12 percent of the nation's overall population."¹ The report also notes that the population of people experiencing homelessness has risen during the last five years while the national trend has been to see steady or decreased rates of homelessness.

Pet friendly shelters: The organization Pets of the Homeless estimates that 5 to 10 percent of Americans experiencing homelessness have dogs or cats.² However, homeless shelters often prohibit pets from being on the premises. As noted in a paper from Seattle University School of Law's *Homeless Rights Advocacy Project*, "pet restrictions cause people experiencing homelessness to refuse available housing and shelter because acceptance would mean giving up a family member. Ignoring the importance of pet ownership increases the risk for long-term homelessness because pet owners must wait for pet-friendly housing and services."³

Low-barrier housing policies: Evidence shows that people experiencing homelessness are more likely to accept temporary or interim housing if the housing is low-barrier. Typically, low-barrier housing allows for pets, allows individuals to keep their possessions, and provides non-congregate settings, with privacy. Over the last few years, state programs and policies have encouraged low-barrier shelters and navigation centers. HHAP provides funding to large cities, counties, and Continuums of Care to fund low-barrier navigation centers. In addition, AB 101

¹ <https://california100.org/app/uploads/2022/03/Housing-and-Community-Development-FOT-REPORT-Single-pages-FINAL.pdf>

² <https://www.petsofthehomeless.org/about-us/#faqs>

³ Aliment, Ruby; Rankin, Sara; and Lurie, Kaya, "No Pets Allowed: Discrimination, Homelessness, and Pet Ownership" (2016). *Homeless Rights Advocacy Project*. 3. <https://digitalcommons.law.seattleu.edu/hrap/3>

(Chapter 159, Statutes of 2019) created a streamlined, by-right process for developing low-barrier navigation centers that allow for pets, possession, and privacy. A low-barrier navigation center can be constructed more quickly by-right because the center is not subject to the California Environmental Quality Act.

Pet Assistance and Support Program (PAS): In recognition of the important role that pet-friendly shelters can provide for individuals experiencing homelessness, in 2019, the state budget included a \$5 million appropriation to create the PAS program at HCD. Under the PAS program, HCD provides grants to eligible entities for shelter, food, and basic veterinarian services for the pets of people living in homeless shelters. Eligible applicants are cities, counties, and nonprofit corporations with a primary mission to shelter individuals experiencing homelessness and meeting the definition of “qualified shelter” (i.e., they have rules of conduct and responsibility, provide crates or kenneling, provide food to both homeless individuals and their and pets, and offer veterinarian services).

HCD issued the first notice of funding availability (NOFA) for PAS in December 2019. In the first round of the NOFA, 49 applications requesting approximately \$9 million were submitted to HCD. In April 2020, grants of either \$100,000 or \$200,000 were provided to 28 shelters, with the size of the grant proportional to the applicant’s operating budget and funding gap. All grant funds had to be spent by December 30, 2022. This bill effectively makes PAS a permanent program and expands its scope to include qualified domestic violence shelters with pet-friendly policies. The 2021-22 budget included \$10 million for the PAS program. The NOFA for the latest round of the PAS program closed April 8, 2022 and a total of 70 applications were submitted for a requested \$18 million.

Administrative Procedures Act (APA): The Administrative Procedures Act (APA) establishes rulemaking procedures and standards for state agencies in California. The requirements set forth in the APA are designed to provide the public with a meaningful opportunity to participate in the adoption of state regulations and to ensure that regulations are clear, necessary and legally valid. This bill exempts guidelines adopted for the new procedure created by this program from the APA. The committee may wish to consider removing this exemption.

Fiscal Implications: This bill includes intent language to allocate funding this program in this year’s budget and future year’s. The Committee may wish to consider if this is more appropriately addressed in a Budget Act.

Committee amendments:

1) Delete the exemption from the APA:

~~*(e) The department may implement the program through the issuance of forms, guidelines, and one or more notices of funding availability, as the department deems necessary, to exercise the powers and perform the duties conferred on it by this chapter. Any forms, guidelines, and notices of funding availability adopted pursuant to this section are exempt from the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).*~~

2) Delete the language stating the Legislatures’ intent to dedicate future budget funding to this program:

(f) The program established under this chapter shall become operative only upon appropriation in the annual Budget Act. It is the intent of Legislature to provide a future appropriation in the amount of thirty two million two hundred thousand dollars (\$32,200,000) over three years for the purpose of administering this chapter, as follows:

(1) For the 2023–24 fiscal year, not more than ten million dollars (\$10,000,000) of the funding would be made available to qualified domestic violence shelters and qualified homeless shelters.

(2) For the 2024–25 fiscal year, not more than ten million dollars (\$10,000,000) of the funding would be made available to qualified domestic violence shelters and qualified homeless shelters.

(3) For the 2025–26 fiscal year, not more than ten million dollars (\$10,000,000) of the funding would be made available to qualified domestic violence shelters and qualified homeless shelters.

Arguments in support: According to supporters, this bill address a barrier to people entering shelters or domestic violence shelters, the ability to take their pet with them.

Arguments in opposition: None on file.

RELATED LEGISLATION:

SB 344 (Hertzberg, 2021): would have required HCD to establish a grant program to provide funding to homeless shelters to provide shelter, food, and basic veterinary services for pets owned by individuals experiencing homelessness, as specified. This bill was held on the Assembly Appropriations Suspense File.

SB 258 (Hertzberg, 2019): would have required HCD, within the California Emergency Solutions and Housing Program, to develop and administer a program to award grants to qualified homeless shelters for the provision of shelter, food, and basic veterinary service for pets owned by people experiencing homelessness. This bill was held on the Assembly Appropriations Suspense File.

REGISTERED SUPPORT / OPPOSITION:

Support

American Kennel Club
 American Pets Alive! and Human Animal Support Services
 American Society for the Prevention of Cruelty to Animals
 Best Friends Animal Society
 League of California Cities
 My Dog Is My Home
 Pallet Shelter
 Safe Place for Youth
 Social Compassion in Legislation
 The People Concern

Opposition

None on file.

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