



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004
HB4117

Introduced 1/15/2004, by Wyvetter H. Younge

SYNOPSIS AS INTRODUCED:

New Act
20 ILCS 3805/10

from Ch. 67 1/2, par. 310

Creates the State Advocacy Program for the Homeless Mentally Ill and Developmentally Disabled Act and amends the Illinois Housing Development Act. Creates a staff advocacy position within the Bureau of Homeless Services and Supportive Services of the Department of Human Services to promote and facilitate the development of community-based support systems to promote the health, safety, welfare, and human and civil rights of homeless individuals with mental illness or developmental disabilities and to perform other functions. Authorizes the Department to make grants-in-aid to local entities for the purpose of providing services to homeless persons. Requires the Illinois Housing Development Authority to ensure that a number of the units held available for persons of low or moderate income are held available for the homeless mentally ill and developmentally disabled as defined in the State Advocacy Program for the Mentally Ill and Developmentally Disabled Act.

LRB093 16246 DRJ 41880 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT in relation to human services.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the State
5 Advocacy Program for the Homeless Mentally Ill and
6 Developmentally Disabled Act.

7 Section 5. Legislative findings. The General Assembly
8 finds that a disproportionate number of people in this State
9 are unable to secure housing for themselves and their families,
10 and that many people are forced to live in the streets without
11 shelter or in emergency shelters. A substantial number of the
12 homeless population are mentally ill or developmentally
13 disabled, and these homeless people are more readily subjected
14 to abuse. Despite current public and private efforts, the
15 homeless problem in this State is a critical threat to the
16 health, safety, and welfare of many people and communities
17 across the State. Therefore, it is in the public interest that
18 the General Assembly take immediate and necessary action to
19 ensure a more adequate response to the needs of homeless
20 people, including providing the necessary funds to effectively
21 carry out the provisions of this Act. The General Assembly also
22 acknowledges that the complex problem of homelessness in this
23 State is being addressed by a rapidly growing range of services
24 from the State and local governments as well as the private
25 sector. This creates the need for coordination and planning in
26 the allocation of resources and in the design and
27 implementation of new programs to serve the homeless, and the
28 General Assembly finds that there is a need for a single entity
29 to coordinate these efforts.

30 Section 10. Definitions. In this Act:

31 "Department" means the Department of Human Services.

1 "Developmentally disabled" means a person who has a
2 developmental disability as defined in Section 1-3 of the
3 Developmental Disability and Mental Disability Services Act.

4 "Homeless individual with mental illness or a
5 developmental disability" means a person who does not have a
6 home and has a mental illness or a developmental disability, or
7 both, including, but not limited to, a person with a mental
8 illness or developmental disability: (i) who is in a shelter or
9 drop-in center for the homeless, (ii) who is being discharged
10 from a State or private institution without a residence to go
11 to, (iii) who has a temporary residence or no regular abode in
12 which to live, or (iv) who has a history of chronic residential
13 instability.

14 "Mentally ill" means a person who has a severe mental
15 illness as defined in Section 2-3 of the Developmental
16 Disability and Mental Disability Services Act.

17 Section 15. Advocacy position. A staff advocacy position
18 within the Bureau of Homeless Services and Supportive Services
19 of the Department of Human Services shall be created to do the
20 following:

21 (1) Promote and facilitate the development of
22 community-based support systems to protect the health,
23 safety, welfare, and human and civil rights of homeless
24 individuals with mental illness or developmental
25 disabilities.

26 (2) Enter into agreements with local community-based
27 support systems to carry out the provisions of Sections 20
28 through 30.

29 (3) Implement the programs established under Sections
30 20 through 30.

31 (4) Conduct periodic programmatic and administrative
32 reviews of the programs created under Sections 20 through
33 30 to ensure the delivery of quality services.

34 (5) Serve as an advocate for homeless individuals with
35 other governmental and community service providers.

1 (6) Assist in the development of financial and human
2 resources to respond to the needs of homeless individuals
3 with mental illness or developmental disabilities.

4 Section 20. Community-based support systems.

5 (a) The Department shall initiate requests for proposals or
6 continued funding forms for the establishment or expansion of
7 nonprofit agencies and organizations that will be responsible
8 for developing or coordinating comprehensive and integrated
9 community-based support systems for homeless individuals with
10 mental illness or developmental disabilities.

11 (b) Through community-based providers, the Department
12 shall take appropriate steps to encourage homeless persons to
13 use these services and shall provide information on services
14 available to them.

15 Section 25. Community service agreements.

16 (a) Through agreements with community-based providers and
17 based on available funding, the following components may be
18 addressed within the service system for homeless individuals
19 with mental illness or developmental disabilities:

20 (1) Community needs assessment and resource
21 development.

22 (2) Case management, including case review, tracking,
23 service evaluation, and networking.

24 (3) Training and staff development.

25 (4) Consultation with and technical assistance for
26 providers of shelters.

27 (5) Outreach services that are available at times and
28 in places where homeless individuals with mental illness or
29 developmental disabilities can be located, such as
30 overnight shelters.

31 (6) Emergency and crisis intervention services,
32 including the availability of shelter facilities.

33 (b) Each service area, local board, or local service system
34 must do the following:

1 (1) Assist in maintaining sources of income, food,
2 clothing, health care, counseling, training, and
3 employment, and in maintaining a stable living environment
4 within the community when possible.

5 (2) Develop individualized service plans for homeless
6 persons that may include, but need not be limited to, the
7 following:

8 (A) Personal assistance in securing and
9 maintaining housing, food, and clothing arrangements.

10 (B) Crisis intervention services focusing on
11 finding appropriate alternatives to acute inpatient
12 hospital care.

13 (C) Assistance in securing and maintaining income
14 and health care benefits.

15 (D) Social and vocational skill development
16 activities as determined by the client's needs,
17 interests, and abilities.

18 (E) Money management assistance or representative
19 payeeship.

20 (F) Other self-help skills.

21 (G) Other counseling and referral and legal and
22 administrative proceeding services as needed.

23 Section 30. Refusal of services. The Department shall
24 explore the provisions of the Mental Health and Developmental
25 Disabilities Code in relation to homeless individuals with
26 mental illness or developmental disabilities who refuse
27 services for themselves.

28 Section 35. Grants-in-aid. The Department shall make
29 grants-in-aid to entities recognized under Section 20 based on
30 appropriations to provide services pursuant to Sections 20
31 through 30. The Department shall establish and publish criteria
32 in requests for proposals for determining eligible services and
33 the amount of grants-in-aid so that all interested individuals,
34 agencies, associations, and other entities may have access to

1 that information.

2 Section 90. The Illinois Housing Development Act is amended
3 by changing Section 10 as follows:

4 (20 ILCS 3805/10) (from Ch. 67 1/2, par. 310)

5 Sec. 10. Prior to making a loan commitment for a
6 development under this Act, the Authority shall approve a
7 tenant selection plan submitted by the applicant for the loan.
8 The Authority shall formulate regulations from time to time
9 setting forth the criteria for tenant selection plans. These
10 criteria shall include income limits, which may vary with the
11 size and circumstances of the family unit of tenants. The
12 income limits shall be sufficiently flexible to avoid undue
13 economic homogeneity among the tenants of a development. The
14 Authority may formulate regulations from time to time for the
15 alteration of occupancies of tenants who exceed established
16 income limits. The tenant selection plan shall specify how many
17 units in the development shall be held available for rentals to
18 persons of low or moderate income, as defined in this Act, and
19 for rental to homeless individuals with mental illness or a
20 developmental disability, as defined in the State Advocacy
21 Program for the Homeless Mentally Ill and Developmentally
22 Disabled Act.

23 In determining the number of units which shall be so held
24 available for rental to persons of low or moderate income and
25 for rental to homeless individuals with mental illness or a
26 developmental disability, as defined in the State Advocacy
27 Program for the Homeless Mentally Ill and Developmentally
28 Disabled Act, the Authority shall require that the number of
29 dwelling units so held reserved for them in each development
30 shall not be less than the number required by applicable
31 federal and State law.

32 In connection with any mortgage loan for a development, the
33 Authority may enter into an agreement with the owner of the
34 development as a part of the loan providing that as long as the

1 loan remains outstanding or such longer period as is set forth
2 in the agreement, the development shall be held available for
3 such rentals. Any such agreement shall, upon being recorded in
4 the manner provided for recording of deeds or registered in the
5 manner specified for registration of titles, be binding upon
6 any subsequent owners of the development as provided by its
7 terms.

8 (Source: P.A. 87-250.)