

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

1 Section 10. Definitions. In this Act:

2 "Council" means the Interagency Coordinating Council for
3 the Homeless established under Section 50.

4 "Department" means the Department of Human Services.

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

8 "Division" means the Advocacy Division for the Homeless
9 Mentally Ill and Developmentally Disabled created under
10 Section 15.

11 "Homeless mentally ill and developmentally disabled" or
12 "homeless mentally ill or developmentally disabled
13 individual" means a person who does not have a home and is
14 mentally ill or developmentally disabled, including, but not
15 limited to, (i) a mentally ill or developmentally disabled
16 person who is in a shelter or drop-in center for the
17 homeless, (ii) a mentally ill or developmentally disabled
18 person being discharged from a State or private institution
19 without a residence to go to, (iii) a mentally ill or
20 developmentally disabled person who has a temporary residence
21 or no regular abode in which to live, or (iv) any other
22 mentally ill or developmentally disabled person with a
23 history of chronic residential instability.

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

27 Section 15. Advocacy Division. The Advocacy Division for
28 the Homeless Mentally Ill and Developmentally Disabled is
29 created within the Department of Human Services. The Division
30 shall do the following:

31 (1) Promote and facilitate the development of
32 community-based support systems to protect the health,
33 safety, welfare, and human and civil rights of the

1 homeless mentally ill and developmentally disabled.

2 (2) Enter into agreements with local
3 community-based support systems to carry out the
4 provisions of Sections 20 through 45.

5 (3) Implement the programs established under
6 Sections 20 through 45.

7 (4) Develop a central data and information system
8 for intergovernmental coordination of State services to
9 the homeless mentally ill and developmentally disabled to
10 improve efforts for monitoring and tracking mentally ill
11 persons after they are released from State institutions
12 and to keep a more accurate account of the homeless
13 mentally ill and developmentally disabled.

14 (5) Develop financial resources to pay for the
15 necessary documents to obtain an Illinois Identification
16 Card or Illinois Disabled Person Identification Card for
17 those homeless persons who wish to maintain personal
18 identification to be used in obtaining supportive
19 services and for other personal use.

20 (6) Conduct periodic programmatic and
21 administrative reviews of the programs created under
22 Sections 20 through 45 to ensure the delivery of quality
23 services.

24 (7) Serve as an advocate for homeless individuals
25 with other governmental and community service providers.

26 (8) Assist in the development of financial and
27 human resources to respond to the needs of the homeless
28 mentally ill and developmentally disabled.

29 Section 20. Community-based support systems.

30 (a) The Department shall initiate requests for proposals
31 for the establishment or expansion of nonprofit agencies and
32 organizations that will be responsible for developing or
33 coordinating comprehensive and integrated community-based

1 support systems for homeless mentally ill or developmentally
2 disabled individuals. The Department must review these
3 service providers annually. The Department shall assist in
4 the organization and establishment of local service systems
5 and shall provide for community services to the homeless
6 mentally ill and developmentally disabled in any area of the
7 State where there are homeless mentally ill or
8 developmentally disabled individuals and no service provider
9 responds to the Department's requests for proposals.

10 (b) The Department shall take appropriate steps to
11 encourage homeless persons to use these services and shall
12 ensure that homeless persons are provided with access to a
13 directory of services including phone numbers of employees
14 and location addresses. The Department shall also ensure that
15 homeless persons are furnished with information pertaining to
16 their rights and the benefits to which they may be entitled.

17 Section 25. Community service plan.

18 (a) The Division shall prepare an annual community
19 service plan for the homeless and an annual budget to
20 implement the service plan on a local basis. The plan must
21 demonstrate, at a minimum, the following components of a
22 service system for the homeless mentally ill and
23 developmentally disabled:

24 (1) Community needs assessment and resource
25 development.

26 (2) Case management, including case review,
27 tracking, service evaluation, and networking.

28 (3) Training and staff development.

29 (4) Consultation with and technical assistance for
30 providers of shelters.

31 (5) Outreach services that are available at times
32 and in places where the homeless mentally ill and
33 developmentally disabled can be located, such as

1 overnight shelters.

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

4 The plan must also include local and State data on the
5 numbers of persons who are found to be homeless by both State
6 and community mental health and developmental disability
7 service providers.

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

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

14 (2) Develop individualized service plans that may
15 include, but need not be limited to, the following:

16 (A) Personal assistance in securing and
17 maintaining housing, food, and clothing
18 arrangements.

19 (B) Crisis intervention services focusing on
20 finding appropriate alternatives to acute inpatient
21 hospital care.

22 (C) Assistance in securing and maintaining
23 income and health care benefits.

24 (D) Social and vocational skill development
25 activities as determined by the client's needs,
26 interests, and abilities.

27 (E) Money management assistance or
28 representative payeeship.

29 (F) Other self-help skills.

30 (G) Other counseling and referral and legal
31 and administrative proceeding services as needed.

32 Section 30. Housing. The Department shall design and
33 implement a procedure that provides for transitional or

1 permanent housing for mentally ill and developmentally
2 disabled persons who are released from institutions following
3 treatment, who are homeless, or who have a history of chronic
4 residential instability. Persons who are homeless at the time
5 of their admission to an inpatient psychiatric hospital or
6 who have a history of chronic residential instability shall
7 be given special charge planning. The Department shall adopt
8 rules with respect to recipient discharge/linkage/aftercare
9 to require special linkage procedures for persons at risk of
10 becoming homeless. The Department of Public Aid shall assist
11 the Department in implementing this Section.

12 Section 35. Refusal of services. The Division shall
13 explore the provisions of the Mental Health and Developmental
14 Disabilities Code in relation to homeless mentally ill and
15 developmentally disabled individuals who refuse services for
16 themselves.

17 Section 40. General assistance jobs programs. The
18 Department shall implement an automatic exemption from any
19 general assistance jobs program for mentally ill or
20 developmentally disabled clients.

21 Section 45. Grants-in-aid.

22 (a) The Department shall make grants-in-aid to entities
23 recognized under Section 20 based on appropriations to
24 provide services pursuant to Sections 20 through 40. The
25 Department shall establish and publish criteria in requests
26 for proposals for determining eligible services and the
27 amount of grants-in-aid so that all interested individuals,
28 agencies, associations, and other entities may have access to
29 that information.

30 (b) The Department shall report annually, in writing, to
31 the Governor and the General Assembly, on or before the first

1 day of December, on the conditions, management, finance, and
2 programs instituted under the provisions of this Act.

3 Section 50. Coordinating Council.

4 (a) The Interagency Coordinating Council for the
5 Homeless is established. The Council shall be comprised of 27
6 members as follows: the Governor or his or her designee; the
7 Director of Public Aid; the Director of Public Health; the
8 head of the Office of Rehabilitation Services within the
9 Department of Human Services; the head of the Office of
10 Alcoholism and Substance Abuse within the Department of Human
11 Services; the Director of Aging; the head of the Office of
12 Mental Health and Developmental Disabilities within the
13 Department of Human Services; the Director of Children and
14 Family Services; the Director of Commerce and Community
15 Affairs; the Chairman of the Illinois Housing Development
16 Authority; one Senator appointed by the President of the
17 Senate; one Senator appointed by the Minority Leader of the
18 Senate; one Representative appointed by the Speaker of the
19 House of Representatives; one Representative appointed by the
20 Minority Leader of the House of Representatives; 3
21 representatives of local government appointed by the
22 Governor; 6 individuals who are engaged in providing services
23 to the homeless, 3 of whom shall be appointed by the Chicago
24 Coalition for the Homeless, and 3 of whom shall be appointed
25 by the Illinois Coalition for the Homeless; and 3 members at
26 large appointed by the Governor. Members at large appointed
27 by the Chicago Coalition for the Homeless, the Illinois
28 Coalition for the Homeless, and the Governor shall serve
29 3-year terms, except that the terms of the initial
30 appointees shall be determined by lot at the time of their
31 appointment so that 3 appointees serve for terms of 3 years,
32 3 for terms of 2 years, and 3 for terms of one year.

33 (b) The Council shall elect officers and adopt by-laws.

1 Members of the Council are not entitled to compensation, but
2 shall be reimbursed for their reasonable expenses actually
3 incurred in performing their duties.

4 (c) The Council shall do the following:

5 (1) Review and comment on existing programs
6 administered by State agencies to assist the homeless.

7 (2) Review and comment on the allocation of new
8 resources to assist the homeless.

9 (3) Offer advice and counsel and assist in the
10 planning, design, and implementation of programs to
11 assist the homeless.

12 (4) Encourage collaboration between federal and
13 State agencies, local government, and the private sector
14 in the development of new resources to respond to the
15 problem of homelessness.

16 (d) State agencies whose officials are members of the
17 Council shall cooperate with the Council by doing the
18 following:

19 (1) Providing full and complete reports of current
20 programs designed to assist the homeless or prevent
21 homelessness.

22 (2) Providing the Council with timely notice of
23 proposed changes in programs described in paragraph (1).

24 (3) Providing the Council with timely notice of
25 proposed allocation of new resources to assist the
26 homeless or prevent homelessness.

27 (e) After October 1, 2003, no State agency may execute a
28 contract for services or benefits for homeless persons, or
29 initiate a new program that directly affects homeless
30 persons, unless the agency first provides to the Council
31 timely notice of the contract or program and an opportunity
32 to comment on the proposal. Compliance with this subsection
33 is waived when an agency adopts an emergency rule under
34 Section 5-45 of the Illinois Administrative Procedure Act.

1 (f) The Department shall provide staff support for the
2 Council and shall pay the expenses incurred by Council
3 members under subsection (b).

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

6 (20 ILCS 3805/10) (from Ch. 67 1/2, par. 310)

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

25 In determining the number of units which shall be so held
26 available for rental to persons of low or moderate income and
27 for rental to homeless mentally ill or developmentally
28 disabled individuals, as defined in the State Advocacy
29 Program for the Mentally Ill and Developmentally Disabled
30 Act, the Authority shall require that the number of dwelling
31 units so held reserved for them in each development shall not
32 be less than the number required by applicable federal and

1 State law.

2 In connection with any mortgage loan for a development,
3 the Authority may enter into an agreement with the owner of
4 the development as a part of the loan providing that as long
5 as the loan remains outstanding or such longer period as is
6 set forth in the agreement, the development shall be held
7 available for such rentals. Any such agreement shall, upon
8 being recorded in the manner provided for recording of deeds
9 or registered in the manner specified for registration of
10 titles, be binding upon any subsequent owners of the
11 development as provided by its terms.

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