

---

## Children, Youth & Families Committee

---

### HB 1221

**Brief Description:** Standardizing homelessness definitions.

**Sponsors:** Representatives Rule, Bateman, Shewmake, Lekanoff, Senn, Santos, Thai, Ortiz-Self, Ormsby, Callan, Ramel, Riccelli and Macri.

#### Brief Summary of Bill

- Defines "homeless" for the Early Childhood Education and Assistance Program.
- Defines "experiencing homelessness" for purposes of child welfare.
- Replaces the term "homelessness" with the term "experiencing homelessness" in the child welfare statutes.

**Hearing Date:** 1/25/21

**Staff:** Lena Brodsky (786-7192).

#### Background:

##### McKinney-Vento Homeless Assistance Act.

The federal McKinney-Vento Homeless Assistance Act, Subchapter VI, Part B: Education for Homeless Children and Youths (McKinney-Vento) defines "homeless children and youths" to mean individuals who lack a fixed, regular, and adequate nighttime residence and includes children and youth:

- sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
- living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;
- living in emergency or transitional shelters;

---

*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.*

- abandoned in hospitals;
- with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; and
- living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings.

#### Early Childhood Education and Assistance Program.

The Early Childhood Education and Assistance Program (ECEAP) is a state-funded preschool program for low-income or at-risk three- and four- year olds. Children eligible for the ECEAP are prioritized according to various risk factors, including homelessness.

The ECEAP uses the federal McKinney-Vento definition of a homeless child.

#### Child Welfare.

Child protective and child welfare services are provided to families to protect children from child abuse and neglect.

Anyone may file a petition in court alleging a child should be a dependent of the state due to abuse, neglect, or because there is no parent, guardian, or custodian capable of adequately caring for the child.

Poverty, homelessness, or exposure to domestic violence perpetuated against someone other than the child does not constitute negligent treatment or maltreatment in and of itself.

#### **Summary of Bill:**

A definition of "homeless" as a child without a fixed, regular, and adequate nighttime residence is added for purposes of the Early Childhood Education and Assistance Program (ECEAP) in accordance with the federal McKinney-Vento Homeless Assistance Act, Subchapter VI, Part B: Education for Homeless Children and Youths.

For the purposes of child welfare and dependency proceedings, "experiencing homelessness" is defined as lacking a fixed, regular, and adequate nighttime residence, including circumstances such as sharing the housing of other persons due to loss of housing, economic hardship, fleeing domestic violence, or a similar reason.

The term "homelessness" is replaced with the term "experiencing homelessness" in the child welfare statutes.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is

passed.