

House Engrossed

homelessness; housing; facilities

State of Arizona  
House of Representatives  
Fifty-sixth Legislature  
First Regular Session  
2023

# HOUSE BILL 2284

AN ACT

AMENDING TITLE 41, CHAPTER 37, ARTICLE 2, ARIZONA REVISED STATUTES, BY  
ADDING SECTION 41-3956; RELATING TO HOMELESSNESS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 41, chapter 37, article 2, Arizona Revised  
3 Statutes, is amended by adding section 41-3956, to read:

4 41-3956. Homelessness; facilities; shelters; requirements;  
5 political subdivisions; civil actions; rules;  
6 violation; classification

7 A. THE DEPARTMENT SHALL ACCEPT AND ALLOCATE MONIES THAT ARE  
8 APPROPRIATED BY THE LEGISLATURE FOR SERVICES FOR INDIVIDUALS EXPERIENCING  
9 HOMELESSNESS. MONIES SHALL BE USED FOR ALL OF THE FOLLOWING:

10 1. FACILITIES, INCLUDING TRANSITIONAL SHELTERS, NONCONGREGATE  
11 SHELTERS, CONGREGATE SHELTERS, SHELTER FACILITIES PROVIDED BY RELIGIOUS  
12 ORGANIZATIONS AND OTHER SHELTER STRUCTURES THAT CAN BE ASSEMBLED OR  
13 OBTAINED QUICKLY, THAT ARE LIMITED TO INDIVIDUALS EXPERIENCING  
14 HOMELESSNESS AND EACH INDIVIDUAL'S PERSONAL PROPERTY. INDIVIDUALS  
15 EXPERIENCING HOMELESSNESS MAY SHELTER AND STORE PERSONAL PROPERTY AT  
16 FACILITIES IN AREAS DESIGNATED BY THE AGENCY PROVIDING THE FACILITY. EACH  
17 FACILITY SHALL OFFER MENTAL HEALTH AND SUBSTANCE ABUSE EVALUATIONS AS  
18 DESIGNATED BY A STATE OR LOCAL AGENCY.

19 2. FACILITIES THAT MEET ALL OF THE FOLLOWING:

20 (a) PROVIDE SLEEPING ACCOMMODATIONS AND ACCESS TO ELECTRICITY.

21 (b) PROVIDE ADEQUATE ACCESS TO SHOWERS AND BATHROOM FACILITIES.

22 (c) PROVIDE TWENTY-FOUR-HOUR ON-SITE SECURITY.

23 (d) ALLOW INDIVIDUALS TO OCCUPY THE SHELTER FOR NOT MORE THAN TWO  
24 YEARS.

25 B. THE DEPARTMENT SHALL PRIORITIZE SPENDING FOR ALL OF THE PURPOSES  
26 PRESCRIBED IN SUBSECTION A OF THIS SECTION.

27 C. THE OWNER OF A FACILITY DESCRIBED IN SUBSECTION A OF THIS  
28 SECTION OR AN EMPLOYEE OR OFFICER OF THE FACILITY IS NOT LIABLE IN ANY  
29 CIVIL ACTION THAT ARISES OUT OF THE OWNERSHIP, OPERATION OR MANAGEMENT OF  
30 THE FACILITY UNLESS THE CLAIM INVOLVES INTENTIONAL OR GROSSLY NEGLIGENT  
31 CONDUCT.

32 D. THE DEPARTMENT MAY USE MONIES APPROPRIATED BY THE LEGISLATURE TO  
33 CONSTRUCT PERMANENT HOUSING FOR INDIVIDUALS EXPERIENCING HOMELESSNESS AND  
34 TO ASSIST INDIVIDUALS EXPERIENCING HOMELESSNESS WITH SUBSTANCE ABUSE  
35 TREATMENT, MENTAL HEALTH TREATMENT AND ANY OTHER SERVICES, INCLUDING  
36 SHORT-TERM HOUSING.

37 E. THIS SECTION DOES NOT PROHIBIT A POLITICAL SUBDIVISION FROM  
38 OFFERING DIVERSION PROGRAMS OR SERVICES TO ENCOURAGE INDIVIDUALS  
39 EXPERIENCING HOMELESSNESS TO UTILIZE SHELTER FACILITIES.

40 F. THE DEPARTMENT SHALL ADOPT RULES NECESSARY TO CARRY OUT THIS  
41 SECTION.

1           Sec. 2. Department of health services; report

2           Before January 1, 2024, the Arizona department of health services  
3 shall submit a report to the joint legislative budget committee on the  
4 feasibility and potential cost of establishing a shelter on the campus of  
5 the Arizona state hospital for individuals experiencing homelessness and  
6 suffering from serious mental illness.

7           Sec. 3. Severability

8           If a provision of this act or its applications to any person or  
9 circumstance is held invalid, the invalidity does not affect other  
10 provisions or applications of the act that can be given effect without the  
11 invalid provision or application, and to this end the provisions of this  
12 act are severable.

13           Sec. 4. Effective date

14           This act is effective from and after December 31, 2023.