



United Community Services of Johnson County

Written and Virtual In-person *Neutral* Testimony Regarding Senate Bill 542 Kristy Baughman, Executive Director of United Community Services of Johnson County

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Executive Director

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Kristy Baughman, Executive Director

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Chair Billinger and Members of the Committee on Ways and Means:

Thank you for the opportunity to provide **neutral testimony regarding Senate Bill 542**, a bill that would provide one-time \$40 million in state-matching funding for homeless shelter infrastructure.

United Community Services of Johnson County (UCS) is a nonprofit agency committed to supporting policies, programs, and services that are invested in the success of our community's most vital resource – its people.

Proposed funding for homeless shelter infrastructure in SB 542 is critically needed; Kansas is facing a shortage of housing, rental costs for Kansans are outpacing most of the U.S., and a growing number of Kansans experiencing homelessness. Kansas has a growing housing shortage, [documented by Kansas Housing Resource Corporation](#), with an acute lack of affordable housing and maintenance programs for aging housing stock. In 2023, [Kansans saw median rental prices increase by 11.3%](#). Meanwhile, almost 30% of Kansans are considered low-income: a family of three living on less than \$46,060/year* and Kansas Continuums of Care on Homelessness (CoCs) have **counted an average increase of 10% in homelessness in 2022 and in 2023.**

Providing matching funds for infrastructure for shelters for those experiencing homelessness is an important part of the solution. **UCS recommends four changes to SB 542.**

First, **expand the scope of emergency housing infrastructure that can be funded in Sec. 2(a) of the bill to include shelters with transitional housing, domestic violence shelters, transitional housing, rapid rehousing, and permanent supportive housing.** While highly populated areas of the state, like Wichita, Topeka, or Johnson County, do require additional emergency shelter, other parts of the state have different needs. For example, there are regions of the state where no permanent supportive housing is available in a nine-county radius. Others have no transitional housing programs for households, like youth (aged 19-25) aging out of foster care, who need up to two years of support to complete educational training and secure long-term employment.

Second, **clarify that required data be collected through the Homeless Management Information System (HMIS) of the Continuum of Care in the geographic area of the proposed emergency housing.** This funding presents an opportunity to address a priority of the Committee: streamlining and strengthening data collection and outcome tracking across the state. CoCs cover the full geographic area of the state and are required to utilize Homeless Management Information Systems (HMIS) to collect data and track outcomes by Housing and Urban Development (HUD). Incorporating new emergency housing infrastructure into the existing HMIS will support better data collection and reporting for the state.

*Source: U.S. Census Bureau, *American Community Survey 2022 Estimates*.

Third, remove Sec. 2(b)(6) requiring “enforce[ment] of local ordinances regarding camping and vagrancy.” It is undisputable that it is unsafe for individuals experiencing homelessness to be unsheltered, living outside, in encampments, in vehicles, or other places not intended for human habitation. However, **arresting those who are unsheltered does not provide a long-term solution to homelessness.** It may temporarily remove them from public spaces, but it does not address the systemic issues that contribute to their homelessness, nor does it provide the services and supports that lead to long term housing solutions.

Citing or arresting unhoused Kansans because they have no appropriate shelter (day or night) is time-consuming and expensive for law enforcement and local government; moreover, it may contribute to a cycle of recidivism, where individuals are repeatedly arrested for minor offenses without addressing the factors that lead to their homelessness. This can perpetuate a cycle of poverty and legal troubles making it more difficult for those who are homeless to find and maintain stable housing.

Housing insecurity and homelessness is top of mind for most Kansans: the October 2023 *Kansas Speaks* Survey found that **71.6% of Kansas are worried about the cost of housing in their communities and 67% said they would personally struggle to find an affordable home in their own community.** In response, elected officials are already directing a wide range of locally driven responses to address these needs from law enforcement directed at criminal behavior to mental health co-responders and crisis intervention teams to crisis centers and new homeless shelters. State mandates that require communities enforce local ordinances regarding camping and vagrancy represent **overreach, inefficient governance, and wasted taxpayer resources.**

Sec. 2(b)(6) also has the potential to expose localities to liability and legal costs that further limit the resources communities can direct towards addressing homelessness in meaningful, long-term ways. The U.S. Supreme Court has issued decisions overturning or invalidating vagrancy, loitering, and no-camping ordinances (*Papachristou vs. Jacksonville*, 1972; *Chicago vs. Morales*, 1999; *Robinson vs. California*, 1962; *Powell vs. Texas*, 1968). Mandating enforcement of local camping and vagrancy ordinances is likely to require localities to begin enforcing outdated or unlawful ordinances. The unintended consequence of a locality providing a new shelter response under SB 542 will be opening it up to lawsuits for enforcing unlawful ordinances, as required by SB 542.

Finally, add a severability clause to SB 542. SB 542 works toward an important goal: providing support to Kansans experiencing homelessness. A severability clause would ensure that even if parts of the statute are litigated or found unlawful, the important work of providing emergency housing responses can continue.

Access to safe, stable, attainable housing is key to the health and wellbeing of a vital and productive Kansas workforce and SB 542 can represent an important step to supporting Kansans who are experiencing homelessness. When Kansans remain housed, then all of Kansas benefits: business retain quality employees, local governments have fewer costs on social services, law enforcement, and hospitals, and children retain access to quality care and education – building the workforce of tomorrow.

UCS appreciates the opportunity to provide detailed testimony and bill amendments for SB 542. Should the Committee adopt these amendments, UCS will provide its full support of this important bill and encourage its partners across the state to do the same.