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HOUSE BILL NO. 1498

Offered January 23, 2026

A BILL to amend the Code of Virginia by adding in Title 36 a chapter numbered 9.1, consisting of sections numbered 36-151.1 through 36-151.4, relating to Virginia Interagency Council on Homelessness established; use of state funds for housing and homelessness services; report.

Patron—McClure

Referred to Committee on Rules

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 36 a chapter numbered 9.1, consisting of sections numbered 36-151.1 through 36-151.4, as follows:

CHAPTER 9.1.**VIRGINIA INTERAGENCY COUNCIL ON HOMELESSNESS.****§ 36-151.1. Definitions.**

As used in this chapter, unless the context requires a different meaning:

"Continuum of Care" means a local planning group recognized by the Department that coordinates housing services and funding for individuals and families experiencing homelessness.

"Council" means the Virginia Interagency Council on Homelessness established in this chapter.

"Department" means the Department of Housing and Community Development.

"Lived experience leadership" means leadership, advisory, or decision-making roles held by individuals who currently are experiencing or have previously experienced homelessness.

§ 36-151.2. Virginia Interagency Council on Homelessness; purpose; membership; terms; compensation and expenses.

A. The Virginia Interagency Council on Homelessness is established as a policy council, within the meaning of § 2.2-2100, in the executive branch of government. The purpose of the Council shall be to establish a coordinated, statewide framework to prevent and end homelessness by aligning state and local efforts around evidence-based strategies.

B. The Council shall have a total membership of 30 members that shall consist of six legislative members, 16 nonlegislative citizen members, and eight ex officio members. Members shall be appointed as follows: four members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; two members of the Senate to be appointed by the Senate Committee on Rules; and 16 nonlegislative citizen members to be appointed by the Governor, subject to confirmation by the General Assembly, of whom three shall be representatives from Continuums of Care in the Commonwealth, three shall be representatives of Virginia-recognized Indian tribes, and 10 shall be individuals serving in lived experience leadership roles in the Commonwealth. The Director of Corrections, the Commissioner of Health, the Director of the Department, the Executive Director of the Virginia Housing Development Authority, the Commissioner of Social Services, the Superintendent of Public Instruction, the Commissioner of the Department of Veterans Services, and the Commissioner of the Department of Workforce Development and Advancement, or their designees, shall serve ex officio with voting privileges.

Nonlegislative citizen members of the Council shall be citizens of the Commonwealth appointed at large without regard to political affiliation but with consideration of geographical representation. Legislative members and ex officio members of the Council shall serve terms coincident with their terms of office.

C. After the initial staggering of terms, nonlegislative citizen members shall be appointed for a term of four years. Appointments to fill vacancies shall be for the unexpired term. No person having served on the Council for two full consecutive terms shall be eligible for reappointment to the Council for two years thereafter. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment.

D. The Council shall be chaired by a member appointed by the Governor. The council shall elect a vice-chair from among its members and shall appoint other officers as it deems necessary and prescribe their duties. The Council may adopt bylaws to govern its operations.

E. Legislative members of the Council shall receive such compensation as provided in § 30-19.12, and nonlegislative citizen members shall receive compensation for the performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of compensation and expenses of the members shall be provided by the Department.

§ 36-151.3. Meetings; quorum; powers and duties; report; staffing.

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59 A. The Council shall meet at least quarterly. A majority of the members shall constitute a quorum.

60 B. The Council shall have the following powers and duties:

61 1. Develop, adopt, and oversee implementation of a state plan to end homelessness;

62 2. In consultation with relevant state agencies, align state policies, programs, and funding to effectuate
63 the purpose of the Council;

64 3. Identify and recommend removal of statutory, regulatory, and administrative barriers to housing
65 stability; and

66 4. Coordinate and leverage state, federal, and private funding to maximize impact and improve outcomes.

67 C. The Council shall submit to the Governor, General Assembly, and Department by October 1 of each
68 year an electronic report regarding the activities and recommendations of the Council, which shall be
69 submitted for publication as a report document as provided in the procedures of the Division of Legislative
70 Automated Systems for the processing of legislative documents and reports and shall be posted on the
71 General Assembly's website and the Department's website.

72 D. The Department shall provide staff support to the Council. All agencies of the Commonwealth shall
73 provide assistance to the Council upon request.

74 **§ 36-151.4. Use of state funds for homelessness services.**

75 A. No state funds shall be used to establish, operate, or support any congregate living arrangement,
76 shelter or similar facility, or program that functions in a punitive or coercive manner with respect to
77 individuals experiencing homelessness. For purposes of this section, a "punitive or coercive manner"
78 includes any facility, arrangement, or practice that:

79 1. Conditions residency, continued occupancy, or access to services on the avoidance of arrest, citation,
80 prosecution, or displacement from public or private property;

81 2. Restricts an individual's freedom of movement through curfews, controlled entry or exit, locked or
82 secured perimeters, or security or law-enforcement practices beyond those necessary to address immediate
83 health or safety;

84 3. Imposes eligibility requirements related to sobriety or treatment participation; or

85 4. Functions as a substitute for permanent housing or non-congregate shelter rather than as a voluntary,
86 time-limited intervention primarily intended to facilitate access to such housing.

87 B. This section shall apply regardless of whether a facility or practice is described as sanctioned,
88 managed, transitional, therapeutic, or service-enriched.

89 C. Nothing in this section shall be construed to prohibit the use of state funds for voluntary, housing-
90 focused interventions that prioritize placement into permanent housing or non-congregate shelter and do not
91 restrict individual liberty beyond what is necessary to address immediate health or safety needs.