

## **BILL ANALYSIS**

Senate Research Center

H.B. 3765  
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Finance  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Children entering and transitioning within the foster care system are often abruptly taken from their homes and provided a trash bag to pack up all their belongings. Bags of Love, a nonprofit dedicated to this issue, asserts that implementing an official system for luggage distribution would ensure that all foster children have a suitable bag for their belongings. This would help prevent additional stress, trauma, and other social-emotional impacts on already vulnerable children and would help decrease the stigma around foster care.

H.B. 3765 seeks to require the Department of Family and Protective Services to maintain and distribute a supply of luggage for use when transporting the personal belongings of foster children and to maintain a record of each time a trash bag is used for this purpose.

H.B. 3765 amends current law relating to the establishment of a supply of luggage by the Department of Family and Protective Services for the transport of the personal belongings of a foster child.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 263.008(b), Family Code, to provide that it is the policy of this state that each child in foster care be informed of the child's rights provided by state or federal law or policy that relate to certain subjects, including luggage to transport the child's personal belongings. Makes nonsubstantive changes.

SECTION 2. Amends Subchapter B, Chapter 264, Family Code, by adding Section 264.1078, as follows:

Sec. 264.1078. LUGGAGE FOR FOSTER CHILDREN. (a) Defines "luggage."

(b) Requires the Department of Family and Protective Services (DFPS) to:

(1) establish and maintain a decentralized supply of luggage to be used to transport a foster child's personal belongings; and

(2) develop procedures for the storage and distribution of luggage.

(c) Requires DFPS to provide luggage to a child who is being removed from the child's home or changing placement. Provides that luggage provided to a child under this subsection belongs to the child and is prohibited from being reclaimed by DFPS or retained by the child's foster parent. Provides that DFPS is not required to provide new luggage under this subsection to a child who is changing placement and has the luggage previously provided by DFPS.

(d) Requires DFPS to maintain a record of each time a trash bag is used to move a foster child's personal belongings. Requires that the record include the reason DFPS did not provide the child with appropriate luggage to move the child's personal belongings.

(e) Requires DFPS to submit an annual report to the legislature that includes a summary of:

(1) the number of times a trash bag was used to transport a foster child's personal belongings and the reasons DFPS failed to provide the child with appropriate luggage; and

(2) DFPS' supply inventory and inventory management practices for the luggage supply maintained under Subsection (b).

(f) Authorizes DFPS to solicit and accept gifts, grants, and donations of any kind and from any source for purposes of this section.

SECTION 3. Effective date: September 1, 2023.