

AN ACT

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.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 263.008(b), Family Code, is amended to read as follows:

(b) 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:

(1) abuse, neglect, exploitation, discrimination, and harassment;

(2) food, clothing, shelter, and education;

(3) luggage to transport the child's personal belongings;

(4) medical, dental, vision, and mental health services, including the right of the child to consent to treatment;

(5) [~~(4)~~] emergency behavioral intervention, including what methods are permitted, the conditions under which it may be used, and the precautions that must be taken when administering it;

(6) [~~(5)~~] placement with the child's siblings and contact with members of the child's family;

(7) [~~(6)~~] privacy and searches, including the use of

1 storage space, mail, and the telephone;

2 (8) [~~(7)~~] participation in school-related
3 extracurricular or community activities;

4 (9) [~~(8)~~] interaction with persons outside the foster
5 care system, including teachers, church members, mentors, and
6 friends;

7 (10) [~~(9)~~] contact and communication with
8 caseworkers, attorneys ad litem, guardians ad litem, and
9 court-appointed special advocates;

10 (11) [~~(10)~~] religious services and activities;

11 (12) [~~(11)~~] confidentiality of the child's records;

12 (13) [~~(12)~~] job skills, personal finances, and
13 preparation for adulthood;

14 (14) [~~(13)~~] participation in a court hearing that
15 involves the child;

16 (15) [~~(14)~~] participation in the development of
17 service and treatment plans;

18 (16) [~~(15)~~] if the child has a disability, the
19 advocacy and protection of the rights of a person with that
20 disability; and

21 (17) [~~(16)~~] any other matter affecting the child's
22 ability to receive care and treatment in the least restrictive
23 environment that is most like a family setting, consistent with the
24 best interests and needs of the child.

25 SECTION 2. Subchapter B, Chapter 264, Family Code, is
26 amended by adding Section 264.1078 to read as follows:

27 Sec. 264.1078. LUGGAGE FOR FOSTER CHILDREN. (a) In this

1 section, "luggage" means a suitcase, duffel bag, backpack, or
2 similar container designed to hold an individual's personal
3 belongings.

4 (b) The department shall:

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

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

10 (c) The department shall provide luggage to a child who is
11 being removed from the child's home or changing placement. Luggage
12 provided to a child under this subsection belongs to the child and
13 may not be reclaimed by the department or retained by the child's
14 foster parent. The department is not required to provide new
15 luggage under this subsection to a child who is changing placement
16 and has the luggage previously provided by the department.

17 (d) The department shall maintain a record of each time a
18 trash bag is used to move a foster child's personal belongings. The
19 record must include the reason the department did not provide the
20 child with appropriate luggage to move the child's personal
21 belongings.

22 (e) The department shall submit an annual report to the
23 legislature that includes a summary of:

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

1 (2) the department's supply inventory and inventory
2 management practices for the luggage supply maintained under
3 Subsection (b).

4 (e-1) This subsection and Subsection (e) expire September
5 1, 2025.

6 (f) The department may solicit and accept gifts, grants, and
7 donations of any kind and from any source for purposes of this
8 section.

9 SECTION 3. This Act takes effect September 1, 2023.

President of the Senate

Speaker of the House

I certify that H.B. No. 3765 was passed by the House on May 9, 2023, by the following vote: Yeas 130, Nays 15, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 3765 on May 19, 2023, by the following vote: Yeas 120, Nays 21, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3765 was passed by the Senate, with amendments, on May 17, 2023, by the following vote: Yeas 27, Nays 4.

Secretary of the Senate

APPROVED: _____

Date

Governor