

**House Bill 3765**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

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 storage space, mail, and the telephone;
- (8) [(7)] participation in school-related extracurricular or community activities;
- (9) [(8)] interaction with persons outside the foster care system, including teachers, church members, mentors, and friends;
- (10) [(9)] contact and communication with caseworkers, attorneys ad litem, guardians ad litem, and court-appointed special advocates;
- (11) [(10)] religious services and activities;
- (12) [(11)] confidentiality of the child's records;
- (13) [(12)] job skills, personal finances, and preparation for adulthood;
- (14) [(13)] participation in a court hearing that involves the

SENATE VERSION (IE)

SECTION 1. Same as House version.

CONFERENCE

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CONFERENCE

child;

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

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

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

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

Sec. 264.1078. LUGGAGE FOR FOSTER CHILDREN. (a)

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

(b) The department shall:

(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) The department shall provide luggage to a child who is being removed from the child's home or changing placement.

Luggage provided to a child under this subsection belongs to the child and may not be reclaimed by the department or retained by the child's foster parent. The department is not required to provide new luggage under this subsection to a child who is changing placement and has the luggage previously provided by the department.

(d) The department shall maintain a record of each time a

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trash bag is used to move a foster child's personal belongings. The record must include the reason the department did not provide the child with appropriate luggage to move the child's personal belongings.

(e) The department shall 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 the department failed to provide the child with appropriate luggage; and

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

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

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

SENATE VERSION (IE)

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( ) This subsection and Subsection (e) expire September 1, 2025. [FA1]

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

SECTION 3. Same as House version.

CONFERENCE