

Chapter 346

(House Bill 542)

AN ACT concerning

Department of Human Services – Children in Foster Care – Luggage

FOR the purpose of requiring the Department of Human Services to establish and maintain a decentralized supply of new luggage to be used to transport the personal belongings of a child in foster care; requiring the Department to provide new luggage to a child ~~who is being removed from a household~~ in foster care under certain circumstances; prohibiting the Department from using disposable bags or trash bags to transport any items for a child in foster care; requiring the Department to maintain certain records regarding luggage and children in foster care; and generally relating to the Department of Human Services and children in foster care.

BY adding to

Article – Family Law

Section 5–505.2

Annotated Code of Maryland

(2019 Replacement Volume and 2023 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Family Law**5–505.2.**

(A) (1) IN THIS SECTION, “NEW LUGGAGE” MEANS A SUITCASE, DUFFEL BAG, BACKPACK, OR SIMILAR CONTAINER THAT:

(I) IS DESIGNED TO HOLD AN INDIVIDUAL’S PERSONAL BELONGINGS; AND

(II) HAS NOT BEEN PREVIOUSLY USED.

(2) “NEW LUGGAGE” DOES NOT INCLUDE A DISPOSABLE BAG OR TRASH BAG.

(B) THE DEPARTMENT SHALL:

(1) ESTABLISH AND MAINTAIN A DECENTRALIZED SUPPLY OF NEW LUGGAGE TO BE USED TO TRANSPORT THE PERSONAL BELONGINGS OF A CHILD IN FOSTER CARE; AND

(2) DEVELOP PROCEDURES FOR THE STORAGE AND DISTRIBUTION OF NEW LUGGAGE INTENDED FOR CHILDREN IN FOSTER CARE.

(C) (1) SUBJECT TO PARAGRAPHS (2) ~~AND (3)~~ THROUGH (4) OF THIS SUBSECTION, THE DEPARTMENT SHALL PROVIDE NEW LUGGAGE TO A CHILD IN FOSTER CARE WHO IS ~~BEING REMOVED FROM A HOUSEHOLD~~:

(I) ENTERING FOSTER CARE;

(II) MOVING FROM ONE FOSTER CARE PLACEMENT TO ANOTHER; OR

(III) EXITING FOSTER CARE.

(2) NEW LUGGAGE PROVIDED TO A CHILD UNDER THIS SUBSECTION:

(I) IS THE PROPERTY OF THE CHILD; AND

(II) MAY NOT BE RECLAIMED BY THE DEPARTMENT OR RETAINED BY THE CHILD'S FOSTER PARENT.

(3) THE DEPARTMENT IS NOT REQUIRED TO PROVIDE ADDITIONAL NEW LUGGAGE UNDER THIS SUBSECTION TO A CHILD WHO:

(I) IS CHANGING PLACEMENT; AND

(II) IS IN POSSESSION OF NEW LUGGAGE PREVIOUSLY PROVIDED BY THE DEPARTMENT.

(4) WHEN PROVIDING NEW LUGGAGE TO A CHILD IN FOSTER CARE, THE DEPARTMENT SHALL TAKE INTO ACCOUNT THE CHILD'S:

(I) AGE;

(II) MOBILITY;

(III) PERSONAL ITEMS TO BE TRANSPORTED; AND

(IV) PREFERENCES.

(D) (1) THE DEPARTMENT MAY NOT USE DISPOSABLE BAGS OR TRASH BAGS TO TRANSPORT ANY ITEMS OF A CHILD IN FOSTER CARE.

(2) THE DEPARTMENT SHALL MAINTAIN A RECORD OF EACH INSTANCE IN WHICH A DISPOSABLE BAG OR TRASH BAG IS USED TO MOVE THE PERSONAL BELONGINGS OF A CHILD IN FOSTER CARE.

~~(2)~~ (3) THE RECORD REQUIRED UNDER PARAGRAPH ~~(1)~~ (2) OF THIS SUBSECTION SHALL INCLUDE THE REASON THE DEPARTMENT DID NOT PROVIDE THE CHILD WITH NEW LUGGAGE TO MOVE THE CHILD'S PERSONAL BELONGINGS.

(E) THE DEPARTMENT MAY SOLICIT AND ACCEPT GIFTS, GRANTS, AND DONATIONS OF ANY KIND AND FROM ANY SOURCE TO CARRY OUT THE PROVISIONS OF THIS SECTION.

(F) ON OR BEFORE DECEMBER 1 EACH YEAR, THE DEPARTMENT SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE FOLLOWING INFORMATION:

(1) THE NUMBER OF INSTANCES IN WHICH A DISPOSABLE BAG OR TRASH BAG WAS USED TO TRANSPORT THE PERSONAL BELONGINGS OF A CHILD IN FOSTER CARE AND THE REASON THE DEPARTMENT FAILED TO PROVIDE THE CHILD IN FOSTER CARE WITH NEW LUGGAGE; AND

(2) THE DEPARTMENT'S SUPPLY INVENTORY AND INVENTORY MANAGEMENT PROCEDURES FOR THE NEW LUGGAGE SUPPLY MAINTAINED UNDER SUBSECTION (B) OF THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2024.

Approved by the Governor, April 25, 2024.