
SENATE COMMITTEE ON HUMAN SERVICES

Senator Becker, Chair

2025 - 2026 Regular

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Consultant: Heather Hopkins
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Subject: Foster children: rights of foster youth

SUMMARY

This bill adds and clarifies rights within the Foster Youth Bill of Rights. First, it creates the right to have a foster youth's personal belongings transported during placement changes and other moves in a manner that preserves the youth's property and dignity. This bill also clarifies that the right to have storage space for private use also includes the right to maintain reasonable access to and use of personal belongings, clothing, and personal items.

ABSTRACT

Existing Law:

- 1) Establishes the Foster Youth Bill of Rights which enumerates 41 separate rights of minors and nonminors in foster care, including, but not limited to:
 - a. The right to live in a safe, healthy, and comfortable home where they are treated with respect;
 - b. The right to be free from physical, sexual, emotional, or other abuse, corporal punishment, or exploitation;
 - c. The right to receive adequate and healthy food, adequate clothing, grooming and hygiene products, and an age-appropriate allowance;
 - d. The right to be placed in the least restrictive setting possible;
 - e. The right to have a placement that utilizes trauma-informed and evidence-based de-escalation and intervention techniques;
 - f. The right to be free from unreasonable searches of personal belongings;
 - g. The right to receive medical, dental, vision, mental health, and substance use disorder services, and reproductive and sexual health care;
 - h. The right to attend religious services, activities, and ceremonies of their choice;

- i. The right to participate in extracurricular, cultural, racial, ethnic, personal enrichment, and social activities;
 - j. The right to be involved in the development of their own case plan and plan for permanent placement;
 - k. The right to review their own case plan and plan for permanent placement if they are 10 years of age or older, and receive information about their out-of-home placement and case plan, including being told of changes to the plan;
 - l. The right to be provided with contact information for the State Foster Care Ombudsperson at the time of each placement and be free from threats or punishment for making complaints. (*Welfare and Institutions Code [WIC] 16001.9*)
- 2) Establishes a state and local system of child welfare services, including foster care, for children who have been adjudged by the court to be at risk of abuse and neglect or who have been abused or neglected, as specified. (*WIC 202*)
 - 3) Establishes a system of juvenile dependency for children for specific reasons and designates that a child who meets certain criteria is within the jurisdiction of the juvenile court and may be adjudged as a dependent child of the court, as specified. (*WIC 300 et seq.*)
 - 4) Requires the status of every minor or nonminor dependent in foster care to be reviewed by the court at least once every six months, as specified. (*WIC 366*)

This Bill:

- 1) Adds to the Foster Youth Bill of Rights the right to have a foster youth's personal belongings transported during placement changes and other moves in a manner that preserves the youth's property and dignity.
- 2) Provides that this includes the use of suitcases, duffel bags, backpacks, and moving boxes rather than trash bags or other inappropriate receptacles.
- 3) Clarifies that the right to have storage space for personal use includes the right to maintain reasonable access to and use of personal belongings, clothing, and personal items.

FISCAL IMPACT

This bill has not yet been analyzed by a fiscal committee.

BACKGROUND AND DISCUSSION

Purpose of the Bill:

According to the author, “In California, more than 35,000 children live in the foster care system. When a youth enters foster care, the experience is accompanied by profound mental and emotional trauma that disrupts relationships, schooling, and a child’s sense of identity. Placement instability is a significant issue for foster youth, and research shows that unplanned or poorly managed transitions can exacerbate the trauma and loss that children in foster care already experience.

“Across the state, reports have revealed how some foster youth are unable to access their clothing and personal belongings, often forced to wear the same clothes for extended periods, while others experience moves where their belongings are hastily packed into trash bags, with items lost, damaged, or left behind. These practices, both unacceptable and damaging, send a harmful message to foster youth that their belongings, and by extension their identity and experiences, do not matter.

“As dependents of the state, youth in foster care rely upon California to ensure not only their safety, but their dignity. Restricting access to personal items and handling belongings in a manner associated with refuse undermines that obligation. Establishing a clear and enforceable right to reasonable access and dignified transportation of belongings provides foster youth with the dignity they deserve. SB 1345 reinforces the responsibility of county welfare agencies to prevent unnecessary trauma, promotes consistent practice across California, and emphasizes that foster youth deserve respect like any other child.”

Child Welfare Services System

California’s child welfare services system is an essential component of the state’s safety net. Social workers in each county receive reports of abuse or neglect and investigate and resolve those reports. When an allegation is substantiated, a family is either provided with services to ensure a child’s well-being and avoid court involvement, or a child is removed and placed into foster care. In 2025, the state’s child welfare agencies received 398,861 reports of abuse or neglect. Of these, 45,856 reports contained substantiated allegations, and 17,886 children were removed from their homes and placed into foster care via the child welfare services system.

Foster Youth Bill of Rights

In 2001, AB 899 (*Lui, Chapter 683, Statutes 2001*) consolidated and codified in statute all the rights existing law provided to foster youth and created the Foster Youth Bill of Rights. AB 899 also required foster care providers and group home operators to provide foster youth with an age and developmentally appropriate orientation to the foster care system that includes an explanation of their rights and answers to their questions or concerns.

In 2016, AB 1067 (*Gipson, Chapter 851, Statutes 2016*) required CDSS to convene a working group of stakeholders from around the state and include representatives from the Bureau of Children’s Justice, the County Welfare Directors Association, the Chief Probation Officers of California, the County Behavioral Health Directors Association of California, current and former

foster youth, foster parents and caregivers, foster children advocacy groups, foster care providers associations, and other interested parties, to update and improve the Foster Youth Bill of Rights. This working group was required to do the following by July 1, 2018: (1) make recommendations to the Legislature for revising the rights based on a review of state law; (2) develop standardized information regarding the revised rights in an age-appropriate manner and reflective of any relevant licensing requirements with respect to the foster care providers' responsibilities to adequately supervise children in care; (3) develop recommendations regarding methods for disseminating the Foster Youth Bill of Rights, including whether to require the signature of a foster child verifying that the youth has received and understands their rights; and (4) develop recommendations for measuring and improving, if necessary, the degree to which foster youth are adequately informed of their rights.

AB 175 (*Gipson, Chapter 416, Statutes of 2019*) subsequently revised, recast, and expanded the Foster Youth Bill of Rights based on the working group's recommendations. AB 175 clarified that all children placed in foster care, either voluntarily or after being adjudged a ward or dependent of the juvenile court, have their rights delineated in the Foster Youth Bill of Rights. Additionally, it provided that these rights also apply to nonminor dependents except in circumstances when they conflict with nonminor dependents' retention of their legal decision-making authority as an adult.

This bill amends the Foster Youth Bill of Rights in two ways. First, it adds the right to have their personal belongings transported during placement changes and other moves in a manner that preserves the youth's property and dignity and provides that this includes the use of suitcases, duffel bags, backpacks, and moving boxes rather than trash bags or other inappropriate receptacles. Second, it clarifies the right to have personal space for storage includes the right to maintain reasonable access to and use of personal belongings, clothing, and personal items.

Youth in Foster Care

Youth in foster care face many challenges including; education disruptions due to changing foster care placements and schools, grappling with the emotional trauma and stress of past maltreatment, removal from home, and relationship instability. As youth near adulthood, additional obstacles often include unstable housing, loss of foster care financial support and limited access to mentoring or guidance. Youth who age out of foster care often struggle with housing instability, joblessness, academic difficulties, early parenthood, and substance use.

While in the system, children often have many placements. In 2025, children with at least 8 days in care averaged 3.76 moves per 1,000 days. This number varies by age, with the total number of moves generally increasing as the children age—infants under one average 2.62 moves per 1,000 days and 16–17-year-olds average 4.52 moves per 1,000 days. The stress and trauma of these moves can be exacerbated by how the youth and their possessions are moved.

Numerous states have moved to prohibit use of trash bags to move youth and require luggage be provided to youth. Additionally, numerous nonprofit organizations across the nation collect luggage and other bags to provide to foster youth. Hope in a Suitcase, located in Los Angeles, serves 3,000 foster youth every year providing them with a suitcase filled with essentials. Mikey's Luggage works with Koinonia Family Services to help foster youth in California and Nevada by providing youth with new luggage. The founder of Mikey's Luggage, Mike Ellis, was

system involved as a youth and remembers moving his own possessions in trash bags. Of his program he says, “If I could grant one wish for foster kids today, it would probably be to give them some dignity, and I think the first place we can start is through luggage.” He recalls his own luggage he had while in the foster care system, saying “That’s kind of my rock, you can’t touch it, it’s the one thing you can’t take from me.”¹ My Bag My Story, a program in Tennessee that makes and donates bags to children in foster care, notes “the benefits of providing new bags to foster children extend beyond the practicality of moving belongings.” Those benefits include elevating self-worth and dignity, fostering stability and a sense of belonging, supporting positive mental health and well-being and encouraging empowerment and future orientation.²

Personal Stories of Foster Youth

Letters of support submitted to the committee include those from youth who had been involved in the foster care system discussing their own personal experiences.

Of their experience in foster care, one young person wrote, in part:

When I turned 18, staff helped me pack my belongings—again in garbage bags—and drove me back to Los Angeles. They left me there, and I never heard from anyone again. At the time, the bags themselves didn’t feel like the biggest issue. But now I see what they represented. My takeaway from those experiences was: I don’t matter. My life doesn’t matter. Nobody cares about me. I’m invisible, unwanted, and unloved.

Over time, I learned to detach from material things because I had to start over so many times. I don’t have favorite sweaters, pictures, or mementos from my childhood. You begin to identify more with loss than with anything you’ve been able to hold onto.

Garbage bags are meant to hold things that are disposable things that are meant to be thrown away. When a young person’s entire life is put into a bag like that, it sends a message, whether intentional or not, that they are disposable too.

Another wrote:

Watching my belongings—things that were more than just items, things that carried my memories, my hopes, and parts of who I was—being thrown into trash bags, thrown into vans, and taken to the next placement without care. I remember asking adults not to throw my things and asking them to find a bag to put my things in and pack them nicely. In those moments, I wasn’t just asking them to be careful with my belongings, I was asking to be treated with care.

I was embarrassed to unpack my things when I arrived at a new home. Other kids would see me come in with trash bags, and it made me feel different. It made me feel like I didn’t belong, like I wasn’t valued the same way they were.

¹ <https://www.lesschwab.com/article/community-stories/former-foster-child-pays-it-forward-with-luggage-project.html>

² <https://mybagmystory.com/blogs/personal-stories/no-more-trash-bags-for-children-in-foster-care>

Trash bags made me feel unvalued. They made me feel like my life, and everything I had, could be treated like it didn't matter.

Similar Legislation in Other States

Several other states have passed laws in recent years prohibiting the use of trash bags to move the belongings of a child in foster care.

Texas

On July 10, 2023, Texas passed into law House Bill 3765³. House Bill 3765 requires the Department of Family and Protective Services (DFPS) to do all the following:

- Establish and maintain a decentralized supply of luggage to be used to transport a foster child's personal belongings.
- Develop procedures for the storage and distribution of luggage to ensure the maximum number of children are able to use the luggage.
- Provide luggage to a child who is being removed from the child's home or changing placement. This luggage belongs to the child and may not be reclaimed by DFPS or retained by the child's foster parent.
- Authorizes DFPS to solicit and accept gifts, grants, and donations of any kind and from any source for purposes of providing luggage for foster children.
- Maintain a record of each time a trash bag is used to move a foster child's personal belongings and to include the reason DFPS did not provide the child with appropriate luggage to move the child's personal belongings.
- Submit an annual report to the legislature that includes a summary of the number of times a trash bag was used to transport a foster child's personal belongings and the reasons it failed to provide the child with appropriate luggage and a summary of the luggage supply inventory and inventory management practices.⁴

The first annual report⁵ required by HB 3765 was published in September 2024. According to the report, trash bags were used 62 times between September 2023 to August 2024. The top reason a trash bag was used, accounting for 39 of the instances, was because the caseworker did not provide luggage at the time of removal or placement change. The report went on to note that as of July 31, 2024, almost 12,000 pieces of luggage had been purchased or donated.

Maryland

³ <https://legiscan.com/TX/bill/HB3765/2023>

⁴ <https://legiscan.com/TX/bill/HB3765/2023>

⁵ https://www.dfps.texas.gov/About_DFPS/Reports_and_Presentations/CPS/documents/2024/2024-08-30_HB3765_Luggage_Supply_and_Distribution.pdf

In 2024, Maryland passed into law House Bill 542⁶. This bill defined “new luggage” as a suitcase, duffel bag, backpack or similar that is designed to hold an individual’s personal belongings and has not previously been used. The definition goes on to say that “new luggage” does not include a disposable bag or trash bag. The law requires the Maryland 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.
- Develop procedures for the storage and distribution of new luggage intended for children in foster care.
- Provide new luggage to a child in foster care who is:
 - Entering foster care;
 - Moving from one foster care placement to another; or
 - Exiting foster care.
- Not reclaim the new luggage or allow the foster parent to retain the luggage, as it is the property of the child.
- Not have to provide additional new luggage to a child who is changing placement and is already in possession of new luggage previously provided by the department.
- When providing new luggage to a child in foster care, take into account the child’s age, mobility, personal items to be transported and preferences.
- Not use disposable bags or trash bags to transport any items of a child in foster care.
- 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. The record shall include the reason the department did not provide the child with new luggage to move the child’s personal belongings.
- May solicit and accept gifts, grants, and donations of any kind and from any source for these purposes.
- Each year on or before December 1 each year, the department shall report to the general assembly the following information:
 - 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

⁶ <https://legiscan.com/MD/bill/HB542/2024>

- The department's supply inventory and inventory.

Oregon

On May 22, 2025, the Oregon Governor signed into law Senate Bill 1016⁷. Senate Bill 1016 requires the state's Department of Human Services to:

- Procure, distribute and maintain an inventory of appropriate carriers for child welfare case workers to use when transporting the personal effects of a foster child, including when the foster child is entering into, transitioning, or exiting from foster care.
- The department may not use trash bags to transport a foster child's personal effects.
- The Department of Human Services shall submit a report regarding the department's transportation of the personal effects of foster children and may include recommendations for legislation, to the interim committees of the Legislative Assembly related to human services no later than September 15 of each year.
- The report must describe:
 - The department's supply of appropriate carriers for the transportation of a foster child's personal effects;
 - The department's inventory management practices for supplies of appropriate carriers for the transportation of a foster child's personal effects; and
 - If in the preceding reporting period trash bags were used to transport a foster child's personal effects, the number of instances in the preceding reporting period that trash bags were used to transport a foster child's personal effects, and the reasons for using the trash bags, the department's supply of appropriate luggage carriers and its supply inventory management practices.

New York

On February 13, 2026, New York passed into law Assembly Bill 9482⁸ (previously Senate Bill S8791) which requires local social services districts to:

- Provide luggage to children in foster care and defines luggage as a durable suitcase, duffel bag, backpack, or similar reusable container that is new or is in new-like condition and is designed to hold an individual's personal belongings and is not a disposable bag, trash bag, or cardboard box.
- Supply luggage to children in foster care who do not have appropriate luggage of their own.

⁷ <https://legiscan.com/OR/text/SB1016/id/3237535>

⁸ <https://legiscan.com/NY/bill/A09482/2025>

- If any child in foster care reports that their luggage has been lost, stolen, or damaged, provide replacement luggage at its discretion.
- Any luggage provided by the local social services district may not be reclaimed or retained by the office of children and family services, the local social services districts, voluntary authorized agencies, or the child's foster parent.

The movement of states to explicitly put parameters on how a child in foster care's belongings are packed and moved highlights that how possessions are moved has a fundamental impact on the child. This bill would establish similar legislation in California.

Related/Prior Legislation:

AB 1735 (Bryan, Chapter 405, Statutes of 2022) clarified in the Foster Youth Bill of Rights that youth have the right to be provided a copy of the Foster Youth Bill of Rights in their primary language. Added to the Foster Youth Bill of Rights, the right of foster youth to receive a copy of the court report, case plan, and transition to independent living plan in their primary language.

AB 317 (Patterson, Chapter 293, Statutes of 2021) clarified the role of the Foster Care Ombudsperson and allowed the Ombudsperson to notify the dependency counsel of a complaint; limited investigations to those reasonably related to the complaint and to foster care; and added other lawful court orders to ways the Ombudsperson may access sealed records for the purpose of an investigation.

AB 175 (Gipson, Chapter 417, Statutes of 2019) among other things, made changes to the Office of the Foster Care Ombudsperson's (OFCO)s responsibilities including collection and sharing of data related to the complaints by or on behalf of children placed in foster care, including a requirement that California Department of Education share education rights complaints with the OFCO; requiring the materials used to inform foster children and youth of their rights be disseminated by the OFCO; and, requiring the OFCO to review amendments to laws applicable to foster youth at the end of every two-year legislative session and determine whether updates to the Foster Youth Bill of Rights should be recommended as a result of legislation passed during the previous legislative session.

AB 2119 (Gloria, Chapter 385, Statutes of 2018) clarified that a foster youth's right to be involved in the development of their own case plan and plan for permanent placement includes, but is not limited to, the development of case plan elements related to placement and gender affirming health care, with consideration of gender identity.

AB 2247 (Gipson, Chapter 674, Statutes of 2018) required a social worker or placement agency to implement a placement preservation strategy prior to changing a dependent child's placement, and required at least 14 days' written notice to be given prior to a placement change, except in instances where delayed placement or prior notice of a placement change would endanger a child's health or safety or where all specified parties have agreed to waive these requirements.

AB 1067 (Gipson, Chapter 851, Statutes of 2016) included probation-supervised foster youth, and accompanying? responsibilities for probation officers, in provisions of current law

stipulating certain processes, requirements, and timelines regarding placement changes for foster youth who are dependents of the court.

AB 899 (Liu, Chapter 683, Statutes of 2001) adopted California's Foster Youth Bill of Rights and required social workers and probation officers to periodically inform children of these rights in an age-appropriate manner; the OFCO to, in consultation with stakeholders, develop and disseminate information on these rights; and any facility licensed to provide foster care for six or more children to post a listing of these rights.

COMMENTS

Entering the foster system is an incredibly traumatic experience for children and moving from placement to placement increases that trauma. How their possessions are treated during those moves and at their placement matters and how their belongings are treated may serve to reflect how they feel about themselves and how they think the system feels about them. Adding rights to the Foster Youth Bill of Rights around how belongings are treated is a step to show children in foster care that they matter.

POSITIONS

Support:

Youth Law Center (Sponsor)
Alliance for Children's Rights
California Youth Empowerment Network
Community Legal Services in East Palo Alto
County Welfare Directors Association of California
Law Foundation of Silicon Valley

Oppose:

None Received

-- END --