

THIRD READING

Bill No: SB 1345
Author: Wahab (D)
Amended: 4/9/26
Vote: 21

SENATE HUMAN SERVICES COMMITTEE: 4-0, 4/20/26

AYES: Becker, Niello, Laird, Weber Pierson

NO VOTE RECORDED: Pérez

SENATE APPROPRIATIONS COMMITTEE: 7-0, 5/14/26

AYES: Cervantes, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

SUBJECT: Foster children: rights of foster youth

SOURCE: Youth Law Center

DIGEST: 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.

ANALYSIS:

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: the right to live in a safe, healthy, and comfortable home where they are treated with respect; the right to be free from physical, sexual, emotional, or other abuse, corporal punishment, or exploitation; the right to receive adequate and healthy food, adequate clothing, grooming and hygiene products, and an age-appropriate allowance; the right to be placed in the least restrictive setting possible; the right to have a placement that utilizes trauma-informed and

evidence-based de-escalation and intervention techniques; the right to be free from unreasonable searches of personal belongings; 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; the right to participate in extracurricular, cultural, racial, ethnic, personal enrichment, and social activities; the right to be involved in the development of their own case plan and plan for permanent placement; 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; and 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.

Background

Author's Statement. 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 decisionmaking 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.

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) made, among other things, 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.

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

According to the Senate Appropriations Committee: The California Department of Social Services (CDSS) estimates one-time General Fund contract costs, likely hundreds of thousands, for the Office of the Foster Care Ombudsperson to redesign and reprint materials.

SUPPORT: (Verified 5/14/26)

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

OPPOSITION: (Verified 5/14/26)

None received

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5/14/26 16:58:01

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