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HOUSE BILL NO. 76

AMENDMENT IN THE NATURE OF A SUBSTITUTE

PROPOSED BUDGET FOR THE FISCAL YEAR 2010
(Proposed by the House Committee on Health and Human Services)

on _____)

(Patron Prior to Substitute—Delegate Keys-Gamarra)

A BILL to amend the Code of Virginia by adding a section numbered 63.2-905.6, relating to Department of Social Services; foster care; new luggage; pilot program; report.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 63.2-905.6 as follows:

§ 63.2-905.6. New luggage for children in foster care; pilot program.

A. As used 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. "New luggage" does not include a disposable bag or trash bag.

B. The Department shall conduct a pilot program in a jurisdiction selected by the Department to establish and maintain a decentralized supply of new luggage to be used for the transport of personal belongings of children in foster care. The Department shall develop procedures for the storage and distribution of such luggage. The Department shall expend no more than \$250,000 to implement the pilot program.

C. The Department shall provide new luggage to a child in foster care who is entering or exiting foster care or moving from one foster care placement to another. When providing new luggage to a child in foster care, the Department shall take into account the child's age, mobility, personal belongings to be transported, and preferences. New luggage provided to a child pursuant to this section shall be the property of the child and shall not be reclaimed by the Department or retained by the child's foster parent. The Department shall not be required to provide additional new luggage to a child who is changing foster care placements and is in possession of new luggage previously provided by the Department.

D. The Department shall not use disposable bags or trash bags to transport any personal belongings of a child in foster care. 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, which shall include, if the Department failed to provide the child with new luggage, the reason for such failure.

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. No expenditure or use of any gifts, grants, or donations received pursuant to this subsection shall be considered an expenditure for the purposes of calculating the maximum expenditure amount allowed under subsection B.

2. That the provisions of the first enactment of this act shall expire on July 1, 2027.

3. That the Commissioner of Social Services shall submit a report on the implementation of the pilot program conducted pursuant to this section to the Chairs of the House Committee on Health and Human Services and the Senate Committee on Rehabilitation and Social Services by December 1, 2027. Such report shall include (i) 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 during the pilot program and, if the Department of Social Services (the Department) failed to provide the child in foster care with new luggage, the reason for such failure, (ii) the Department's supply inventory and inventory management procedures for the new luggage supply pilot program established pursuant to subsection B, and (iii) a strategy for statewide implementation of a new luggage program.