

Department of Legislative Services
 Maryland General Assembly
 2024 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 542
 Judiciary

(Delegate Vogel, *et al.*)

Judicial Proceedings

Department of Human Services - Children in Foster Care - Luggage

This bill requires the Department of Human Services (DHS) to provide “new luggage” to a child in foster care who is (1) entering foster care; (2) moving from one foster care placement to another; or (3) exiting foster care. DHS may not use disposable bags or trash bags to transport any items of a child in foster care. By December 1 each year, DHS must report to the General Assembly on (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 DHS failed to provide the child with new luggage; and (2) the supply and inventory management procedures for the new luggage supply. DHS may solicit and accept gifts, grants, and donations of any kind and from any source to carry out the bill.

Fiscal Summary

State Effect: DHS general fund expenditures increase by *at least* \$120,500 in FY 2025 to purchase new luggage for children in foster care and for one-time costs to update the MD THINK (Maryland “Total Human-Services Integrated Network”) reporting platform, as discussed below. Future years reflect elimination of one-time costs. To the extent donations of luggage are received, expenditures may be reduced. Revenues are not affected.

(in dollars)	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	120,500	84,500	84,500	84,500	84,500
Net Effect	(\$120,500)	(\$84,500)	(\$84,500)	(\$84,500)	(\$84,500)

Note: () = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: Local departments of social services can likely implement the bill’s requirements using existing budgeted resources.

Small Business Effect: None.

Analysis

Bill Summary: “New luggage” means a suitcase, duffel bag, backpack, or similar container that is designed to hold an individual’s personal belongings and has not previously been used. New luggage does not include a disposable bag or trash bag.

DHS must (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. DHS is not required to provide additional new luggage to a child who is changing placement and is in possession of new luggage previously provided by the department.

When providing new luggage to a child in foster care, DHS must take into account the child’s age, mobility, personal items to be transported, and preferences. New luggage provided to a child is the property of the child and may not be reclaimed by DHS or retained by the child’s foster parent.

Current Law: DHS, through its Social Services Administration, has the primary responsibility for child welfare services throughout the State, which are provided primarily by the local departments of social services.

DHS is required to establish a program of out-of-home placement for minor children (1) who are placed in the custody of a local department, for a period of up to 180 days, by a parent or legal guardian under a voluntary placement agreement; (2) who are abused, abandoned, neglected, or dependent, if a juvenile court has determined that continued residence in the child’s home is contrary to the child’s welfare and has committed the child to the custody or guardianship of a local department; or (3) who, with the approval of DHS, are placed in an out-of-home placement by a local department under a voluntary placement agreement regarding a child with a developmental disability or a mental illness, as specified.

An out-of-home placement may include family foster care, group and residential care, kinship care, and treatment foster care. “Foster care” means continuous 24-hour care and supportive services provided for a minor child placed by a child placement agency in an approved family home.

State Expenditures:

Luggage Costs

The bill requires DHS to provide new luggage to a child in foster care who is (1) entering foster care; (2) moving from one foster care placement to another; or (3) exiting foster care. DHS is not required to provide new luggage to a child who is changing placement and is in possession of new luggage previously provided by the department. DHS advises that there is an average of 3,800 children in foster care in the State per year. In fiscal 2025, approximately 1,389 children are anticipated to enter foster care, approximately 1,163 are anticipated to change their foster care placement, and approximately 264 are anticipated to exit foster care. Therefore, this analysis assumes that DHS will provide approximately 2,816 children with new luggage in fiscal 2025.

The total cost to provide new luggage will depend upon the type of luggage provided. Under the bill, a suitcase, duffel bag, backpack, or similar container may be provided. This estimate assumes:

- the cost to provide a duffel bag (\$30 per bag) to 2,816 children is \$84,480;
- the cost to provide a backpack (\$40 per bag) to 2,816 children is \$112,640;
- the cost to provide a suitcase (\$120 per suitcase) to 2,816 children is \$337,920;
- the cost of each luggage type may vary depending on size and quality;
- DHS must take into account the child's age, mobility, personal items to be transported, and preferences when providing new luggage; and
- DHS may solicit and accept gifts, grants, and donations of any kind and from any source to provide luggage, which, if received, will offset the overall cost to supply new luggage.

This analysis assumes that, at a minimum, a duffel bag is provided to each child at a cost of \$84,480 in fiscal 2025. In out-years, this analysis assumes that a similar number of children enter foster care, change their foster placement, or exit foster care (2,816 annually) and require new luggage. Thus, DHS general fund expenditures of at least \$84,480 continue in fiscal 2026 and annually thereafter to provide new luggage.

At some point, nearly all children in the foster care system will receive new luggage under the bill, and the number of new children who require new luggage will decrease to those entering the system for the first time. However, at what point this will occur cannot be reliably estimated at this time.

Reporting System

DHS advises that, in addition to the cost of new luggage, one-time only programming changes are required to update the MD THINK Child, Juvenile, and Adult Management System to 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. Thus, DHS general funds increase by an additional \$36,000 in fiscal 2025 only.

Local Fiscal Effect: Local departments of social services must maintain and store new luggage for eligible foster children and 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. DHS advises that local departments of social services currently receive luggage donations. Therefore, it is likely that some local departments of social services may already have an established process to store and distribute luggage to foster children. The Department of Legislative Services notes that the number of foster children eligible to receive luggage under the bill varies between jurisdictions and that some local departments of social services may need to maintain a larger supply of new luggage than others.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: SB 668 (Senator Charles, *et al.*) - Judicial Proceedings.

Information Source(s): Department of Human Services; Department of Legislative Services

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