

By Senator Berman

26-00471B-26

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A bill to be entitled

An act relating to luggage for children placed in out-of-home care; providing a short title; creating s. 39.4011, F.S.; providing legislative findings and intent; providing construction; defining terms; requiring the Department of Children and Families to provide certain children with luggage for certain purposes; providing that such luggage belongs to the child and may not be reclaimed by the department or retained by an adult with whom the child is placed; requiring the department to collaborate with certain entities and pursue strategic partnerships for specified purposes; requiring the department to maintain certain records; starting on a specified date and annually thereafter, requiring the department to submit a report containing specified information to the Legislature; authorizing the department to solicit and accept gifts, grants, and donations from any source for certain purposes; authorizing certain funding sources; amending ss. 39.401 and 39.4085, F.S.; conforming provisions to changes made by the act; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. This act may be cited as the "Fostering with Dignity Act."

Section 2. Section 39.4011, Florida Statutes, is created to read:

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30 39.4011 Luggage for children placed in out-of-home care.-

31 (1)(a) The Legislature finds that children placed in out-
32 of-home care often transport their personal belongings in trash
33 bags, which intensifies emotional distress for such children and
34 reinforces feelings of disposability. Accordingly, the
35 Legislature intends that every child in this state who is placed
36 in out-of-home care be provided with suitable luggage in order
37 to promote dignity, emotional well-being, and stability during
38 the child's transition.

39 (b) This section shall be construed to advance the dignity,
40 emotional well-being, and stability of children placed in out-
41 of-home care. This section may not be construed to limit or
42 impede existing rights, services, or protections afforded to
43 children in out-of-home care under federal or state law.

44 (2) As used in this section, the term:

45 (a) "Community-based care lead agency" has the same meaning
46 as in s. 409.986(3).

47 (b) "Luggage" means a suitcase, duffle bag, backpack, or
48 similar bag or container with handles made of durable material
49 which is designed to hold an individual's personal belongings
50 for multiple uses.

51 (c) "Public-private partnership" means a partnership
52 between the department and a private entity, the purpose of
53 which is to finance, build, and operate projects that serve a
54 public purpose.

55 (3) The department shall provide each child taken into its
56 custody pursuant to s. 39.401 who is entering out-of-home care
57 and each child who is changing placements with a suitable piece
58 of luggage for the storage and transport of his or her personal

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59 belongings. Luggage provided to a child under this subsection
60 belongs to the child and may not be reclaimed by the department
61 or retained by any adult with whom the child is placed. The
62 department is not required to provide new luggage to a child who
63 is changing placements if the child has previously been provided
64 with luggage under this subsection.

65 (4) The department shall do all of the following:

66 (a) Collaborate with community-based care lead agencies,
67 advocacy groups, business partners, and entities in a public-
68 private partnership with the department to coordinate logistics
69 and the distribution of the luggage. The department shall
70 establish and maintain a decentralized luggage supply and
71 develop procedures for storage and distribution of luggage.

72 (b) Pursue strategic partnerships to ensure that each child
73 entering out-of-home care or changing placements receives a
74 piece of luggage to store and transport the child's personal
75 belongings.

76 (c) Maintain a record of each time a trash bag is used to
77 transport the personal belongings of a child who is in out-of-
78 home care. The record must include a statement providing the
79 reason the department did not provide the child with appropriate
80 luggage.

81 (5) By July 1, 2027, and annually thereafter, the
82 department shall provide to the President of the Senate and the
83 Speaker of the House of Representatives a report that includes
84 all of the following:

85 (a) The number of times trash bags were used to transport
86 the personal belongings of children in out-of-home care, and
87 statements providing the reasons the department failed to

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88 provide such children with appropriate luggage.

89 (b) The department's inventory management practices for,
90 and an inventory of, the luggage supply maintained pursuant to
91 this section.

92 (6) The department may solicit and accept gifts, grants,
93 and donations of any kind from any source for the purposes of
94 this section. Funding sources may include, but are not limited
95 to, any of the following:

96 (a) Federal funds, including federal Title IV-E assistance.

97 (b) Matching grant program agreements with or donations
98 from community and business entities.

99 (c) Public-private partnerships.

100 (d) The direct-support organization created under s.
101 402.57.

102 Section 3. Subsection (4) of section 39.401, Florida
103 Statutes, is amended to read:

104 39.401 Taking a child alleged to be dependent into custody;
105 law enforcement officers and authorized agents of the
106 department.—

107 (4) When a child is taken into custody pursuant to this
108 section, the department shall:

109 (a) Request that the child's parent, caregiver, or legal
110 custodian disclose the names, relationships, and addresses of
111 all parents and prospective parents and all next of kin of the
112 child, so far as are known.

113 (b) Provide each child entering out-of-home care with
114 suitable luggage, as defined in s. 39.4011, for the storage and
115 transport of his or her personal belongings.

116 Section 4. Paragraph (c) of subsection (1) of section

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39.4085, Florida Statutes, is amended to read:

39.4085 Goals for dependent children; responsibilities; education; Office of the Children's Ombudsman.—

(1) The Legislature finds that the design and delivery of child welfare services should be directed by the principle that the health and safety of children, including the freedom from abuse, abandonment, or neglect, is of paramount concern and, therefore, establishes the following goals for children in shelter or foster care:

(c) To have their privacy protected;~~;~~ have their personal belongings secure and transported with them in a manner that promotes their dignity, emotional well-being, and stability, including the provision of at least one suitable piece of luggage when they are placed in out-of-home care;~~;~~ and, unless otherwise ordered by the court, have uncensored communication, including receiving and sending unopened communications and having access to a telephone.

This subsection establishes goals and not rights. This subsection does not require the delivery of any particular service or level of service in excess of existing appropriations. A person does not have a cause of action against the state or any of its subdivisions, agencies, contractors, subcontractors, or agents, based upon the adoption of or failure to provide adequate funding for the achievement of these goals by the Legislature. This subsection does not require the expenditure of funds to meet the goals established in this subsection except those funds specifically appropriated for such purpose.

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Section 5. This act shall take effect July 1, 2026.