

HB0010



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB0010

Introduced 1/9/2025, by Rep. Margaret Croke

SYNOPSIS AS INTRODUCED:

20 ILCS 521/5
20 ILCS 521/15 new

Amends the Foster Children's Bill of Rights Act. Requires the Department of Children and Family Services to: (1) establish and maintain a decentralized supply of luggage to be used to transport the belongings of any child in the foster care system; and (2) develop procedures for the storage and distribution of luggage. Requires the Department to provide luggage to a child who is being removed from home or changing placement. Requires the Department, subject to appropriation, to purchase luggage that cannot otherwise be provided through grant or donation to ensure a sufficient supply of luggage for foster children. Provides that the Department shall submit an annual report to the Governor and the General Assembly that summarizes: (i) the number of times a trash bag was used to transport a foster child's personal belongings and the reasons the Department failed to provide the child with appropriate luggage; and (ii) the Department's supply inventory and inventory management practices for its luggage supply.

LRB104 03031 KTG 13049 b

A BILL FOR

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Foster Children's Bill of Rights Act is
5 amended by changing Section 5 and by adding Section 15 as
6 follows:

7 (20 ILCS 521/5)

8 Sec. 5. Foster Children's Bill of Rights. It is the policy
9 of this State that every child and adult in the care of the
10 Department of Children and Family Services who is placed in
11 foster care shall have the following rights:

12 (1) To live in a safe, healthy, and comfortable home
13 where they are treated with respect.

14 (2) To be free from physical, sexual, emotional, or
15 other abuse, or corporal punishment.

16 (3) To receive adequate and healthy food, adequate
17 clothing, and, for youth in group homes, residential
18 treatment facilities, and foster homes, an allowance.

19 (4) To receive medical, dental, vision, and mental
20 health services.

21 (5) To be free of the administration of medication or
22 chemical substances, unless authorized by a physician.

23 (6) To contact family members, unless prohibited by

1 court order, and social workers, attorneys, foster youth
2 advocates and supporters, Court Appointed Special
3 Advocates (CASAs), and probation officers.

4 (7) To visit and contact siblings, unless prohibited
5 by court order.

6 (8) To contact the Advocacy Office for Children and
7 Families established under the Children and Family
8 Services Act or the Department of Children and Family
9 Services' Office of the Inspector General regarding
10 violations of rights, to speak to representatives of these
11 offices confidentially, and to be free from threats or
12 punishment for making complaints.

13 (9) To make and receive confidential telephone calls
14 and send and receive unopened mail, unless prohibited by
15 court order.

16 (10) To attend religious services and activities of
17 their choice.

18 (11) To maintain an emancipation bank account and
19 manage personal income, consistent with the child's age
20 and developmental level, unless prohibited by the case
21 plan.

22 (12) To not be locked in a room, building, or facility
23 premises, unless placed in a secure child care facility
24 licensed by the Department of Children and Family Services
25 under the Child Care Act of 1969 and placed pursuant to
26 Section 2-27.1 of the Juvenile Court Act of 1987.

1 (13) To attend school and participate in
2 extracurricular, cultural, and personal enrichment
3 activities, consistent with the child's age and
4 developmental level, with minimal disruptions to school
5 attendance and educational stability.

6 (14) To work and develop job skills at an
7 age-appropriate level, consistent with State law.

8 (15) To have social contacts with people outside of
9 the foster care system, including teachers, church
10 members, mentors, and friends.

11 (16) If they meet age requirements, to attend services
12 and programs operated by the Department of Children and
13 Family Services or any other appropriate State agency that
14 aim to help current and former foster youth achieve
15 self-sufficiency prior to and after leaving foster care.

16 (17) To attend court hearings and speak to the judge.

17 (18) To have storage space for private use.

18 (19) To be involved in the development of their own
19 case plan and plan for permanent placement.

20 (20) To review their own case plan and plan for
21 permanent placement, if they are 12 years of age or older
22 and in a permanent placement, and to receive information
23 about their out-of-home placement and case plan, including
24 being told of changes to the case plan.

25 (21) To be free from unreasonable searches of personal
26 belongings.

1 (22) To the confidentiality of all juvenile court
2 records consistent with existing law.

3 (23) To have fair and equal access to all available
4 services, placement, care, treatment, and benefits, and to
5 not be subjected to discrimination or harassment on the
6 basis of actual or perceived race, ethnic group
7 identification, ancestry, national origin, color,
8 religion, sex, sexual orientation, gender identity, mental
9 or physical disability, or HIV status.

10 (24) To have caregivers and child welfare personnel
11 who have received sensitivity training and instruction on
12 matters concerning race, ethnicity, national origin,
13 color, ancestry, religion, mental and physical disability,
14 and HIV status.

15 (25) To have caregivers and child welfare personnel
16 who have received instruction on cultural competency and
17 sensitivity relating to, and best practices for, providing
18 adequate care to lesbian, gay, bisexual, and transgender
19 youth in out-of-home care.

20 (26) At 16 years of age or older, to have access to
21 existing information regarding the educational options
22 available, including, but not limited to, the coursework
23 necessary for vocational and postsecondary educational
24 programs, and information regarding financial aid for
25 postsecondary education.

26 (27) To have access to age-appropriate, medically

1 accurate information about reproductive health care, the
2 prevention of unplanned pregnancy, and the prevention and
3 treatment of sexually transmitted infections at 12 years
4 of age or older.

5 (28) To receive a copy of this Act from and have it
6 fully explained by the Department of Children and Family
7 Services when the child or adult is placed in the care of
8 the Department of Children and Family Services.

9 (29) To be placed in the least restrictive and most
10 family-like setting available and in close proximity to
11 their parent's home consistent with their health, safety,
12 best interests, and special needs.

13 (30) To participate in an age and developmentally
14 appropriate intake process immediately after placement in
15 the custody or guardianship of the Department. During the
16 intake process, the Department shall provide the youth
17 with a document describing inappropriate acts of
18 affection, discipline, and punishment by guardians, foster
19 parents, foster siblings, or any other adult responsible
20 for the youth's welfare. During the intake process, the
21 Department shall also provide the youth with luggage
22 suitable to transport the youth's personal belongings. The
23 Department shall review and discuss the document with the
24 youth ~~child~~. The Department must document completion of
25 the intake process in the youth's ~~child's~~ records as well
26 as giving a copy of the document to the youth ~~child~~.

1 (31) To participate in appropriate intervention and
2 counseling services after removal from the home of origin
3 in order to assess whether the youth is exhibiting signs
4 of traumatic stress, special needs, or mental illness.

5 (32) To receive a home visit by an assigned child
6 welfare specialist, per existing Department policies and
7 procedures, on a monthly basis or more frequently as
8 needed. In addition to what existing policies and
9 procedures outline, home visits shall be used to assess
10 the youth's well-being and emotional health following
11 placement, to determine the youth's relationship with the
12 youth's guardian or foster parent or with any other adult
13 responsible for the youth's welfare or living in or
14 frequenting the home environment, and to determine what
15 forms of discipline, if any, the youth's guardian or
16 foster parent or any other person in the home environment
17 uses to correct the youth.

18 (33) To be enrolled in an independent living services
19 program prior to transitioning out of foster care where
20 the youth will receive classes and instruction,
21 appropriate to the youth's age and developmental capacity,
22 on independent living and self-sufficiency in the areas of
23 employment, finances, meals, and housing as well as help
24 in developing life skills and long-term goals.

25 (34) To be assessed by a third-party entity or agency
26 prior to enrollment in any independent living services

1 program in order to determine the youth's readiness for a
2 transition out of foster care based on the youth's
3 individual needs, emotional development, and ability,
4 regardless of age, to make a successful transition to
5 adulthood.

6 (35) To hair care ~~haircare~~ that preserves the child's
7 desired connection to the child's race, culture, gender,
8 religion, and identity and to have a corresponding hair
9 care ~~haircare~~ plan established in accordance with Section
10 7.3b of the Children and Family Services Act. The
11 Department must provide, in a timely and consistent
12 manner, training for all caregivers and child welfare
13 personnel on how to meet the hair care ~~haircare~~ needs of
14 children.

15 (Source: P.A. 102-810, eff. 1-1-23; 103-22, eff. 8-8-23;
16 103-850, eff. 1-1-25; revised 11-21-24.)

17 (20 ILCS 521/15 new)

18 Sec. 15. Luggage.

19 (a) In this Section, "luggage" means a suitcase, duffel
20 bag, backpack, or similar container designed to hold an
21 individual's personal belongings.

22 (b) The Department shall:

23 (1) establish and maintain a decentralized supply of
24 luggage to be used to transport the belongings of any
25 child in the foster care system; and

1 (2) develop procedures for the storage and
2 distribution of luggage.

3 (c) The Department shall provide luggage to a child who is
4 being removed from home or changing placement. Luggage
5 provided under this subsection belongs to the child it is
6 provided to and may not be reclaimed by the Department or
7 retained by the foster parent. The Department is not required
8 to provide new luggage under this subsection to a child who is
9 changing placement and has the luggage previously provided by
10 the Department.

11 (d) The Department shall, subject to appropriation,
12 purchase luggage that cannot otherwise be provided through
13 grant or donation to ensure a sufficient supply of luggage to
14 comply with subsections (b) and (c). Luggage so purchased
15 shall be purchased at a retail price of no greater than \$150
16 per bag.

17 (e) The Department shall maintain a record of each time a
18 trash bag is used to move a foster child's personal
19 belongings. The record must include the reason the Department
20 did not provide the child with appropriate luggage to move the
21 child's personal belongings.

22 (f) The Department shall submit an annual report to the
23 Governor and the General Assembly that includes a summary of:

24 (1) the number of times a trash bag was used to
25 transport a foster child's personal belongings and the
26 reasons the Department failed to provide the child with

1 appropriate luggage; and

2 (2) the Department's supply inventory and inventory
3 management practices for the luggage supply maintained
4 under subsection (b).

5 (g) This subsection and subsection (f) are repealed on
6 January 1, 2028.