

# 2022 SPECIAL SESSION I

## HOUSE SUBSTITUTE

22105423D

### HOUSE BILL NO. 349

#### AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Health, Welfare and Institutions  
on January 27, 2022)

(Patron Prior to Substitute—Delegate Tata)

A BILL to amend the Code of Virginia by adding a section numbered 63.2-905.1:1, relating to foster care; housing support for persons between ages 18 and 21.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 63.2-905.1:1 as follows:

§ 63.2-905.1:1. *Housing services.*

Local departments shall provide housing support for a period of no more than six months to any person who (i) is 18 years of age or older but less than 21 years of age, (ii) on or after July 1, 2022, (a) turned 18 years of age while in foster care under the custody of a local department or (b) turned 18 years of age while in the custody of the Department of Juvenile Justice and was in the custody of a local department immediately prior to commitment to the Department of Juvenile Justice and is transitioning from such commitment to self-sufficiency, and (iii) declines to participate in the Fostering Futures program pursuant to § 63.2-919. Such housing support shall be equal to the room and board portion of the maintenance payment that such person would otherwise receive for housing support through participation in the Fostering Futures program. The local department may send such payments directly to the housing provider or to the person receiving housing support, as agreed upon by the local department and the recipient. Policies and decisions regarding housing options shall take into consideration the recipient's autonomy, developmental maturity, and safety needs.

Local departments shall provide any person who chooses to decline or terminate such housing support prior to the person's twenty-first birthday written notice of the person's right to request restoration of housing support in accordance with this section. Such notice shall be included in the person's transition plan, which shall be created within 90 days prior to the person's discharge from foster care.

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