

AMENDED IN ASSEMBLY MAY 23, 2025

AMENDED IN ASSEMBLY MARCH 27, 2025

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

ASSEMBLY BILL

No. 1074

Introduced by Assembly Member Patel

February 20, 2025

An act to amend Sections 11203 and 11325.21 of, and to add Section 11265.85 to, the Welfare and Institutions Code, relating to CalWORKs.

LEGISLATIVE COUNSEL'S DIGEST

AB 1074, as amended, Patel. CalWORKs.

(1) Under existing law, if the federal government provides funds for the care of a needy relative with whom a needy child is living, aid to the child for any month includes aid to meet the needs of that relative, except as prescribed. Existing law establishes the California Work Opportunity and Responsibility to Kids (CalWORKs) program, under which each county provides cash assistance and other benefits to qualified low-income families using federal, state, and county funds. Existing law provides that the parent or parents are to be considered living with the needy child for a period of up to 6 months, or for a time period as determined by the State Department of Social Services, of the needy child's absence from the family assistance unit, and that the parents are eligible for CalWORKs aid and childcare services if specified conditions are met, including, among others, that the child has been removed from the parent or parents and that the family was receiving aid under when the child was removed.

This bill would specify that the department may determine the time period ~~determined by the department~~ *the parent or parents are*

considered living with the needy child to be a longer time period than 6 months and that the parents are eligible to receive aid as if the child or children were living with them. The bill would also specify that those provisions do not require (A) all children to be removed from the parent or parents or (B) ~~that the parent or parents were receiving aid independently from the family at the time of removal.~~ that, at the time of removal, the needs of the parent or parents were included in the grant. The bill would make these provisions effective only upon the department determining that they will be either cost neutral or result in savings.

(2) Existing law generally requires a recipient of CalWORKs to participate in welfare-to-work activities as a condition of eligibility. Existing law requires the recipient and the county welfare department to enter into a written welfare-to-work plan that includes the activities and services that will move the individual into employment. Existing departmental guidance strongly encourages, for individuals receiving benefits as described in paragraph (1), counties to use a CalWORKs family reunification plan, which is the case plan developed by the county child welfare services agency for the provision of services to those individuals, in lieu of the welfare-to-work plan.

This bill would instead require, for those individuals, a county to include welfare-to-work activities and services in a CalWORKs reunification plan or in a jointly developed child welfare services and CalWORKs welfare-to-work plan, which would serve as the CalWORKs reunification plan. The bill would specify that use of the CalWORKs reunification plan would satisfy the requirement to have a welfare-to-work plan and would define a CalWORKs reunification plan for the purposes of these provisions. By imposing new duties on counties, this bill would impose a state-mandated local program.

(3) Existing law generally prohibits the governing authority of a school or other institution from unconditionally admitting a person as a pupil of a public or private elementary or secondary school, childcare center, day nursery, nursery school, family daycare home, or development center, unless prior to the person's admission to that institution they have been fully immunized against various diseases, including measles, mumps, and pertussis, subject to any specific age criteria.

Existing law requires all applicants for or recipients of CalWORKs to ensure and provide documentation that each child in the assistance unit who is not required to be enrolled in school has received all

age-appropriate immunizations, as specified, and prohibits the needs of all parents or caretaker relatives in the assistance unit from being considered in determining the grant to the assistance unit until the required documentation is provided. Existing law requires a notice of that immunization requirement to be given to an applicant or recipient at the time of application and at the next redetermination of eligibility for aid.

This bill would require that a sanction imposed for failing to verify the immunization of a child end upon the removal of the child from the assistance unit and their placement into out-of-home care. To the extent that this bill would expand county responsibilities under the CalWORKs program, this bill would impose a state-mandated local program.

(4) Existing law continuously appropriates moneys from the General Fund to defray a portion of county costs under the CalWORKs program.

This bill would provide that the continuous appropriation would not be made for the purposes of implementing the bill.

(5) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 11203 of the Welfare and Institutions
2 Code is amended to read:
3 11203. (a) During those times as the federal government
4 provides funds for the care of a needy relative with whom a needy
5 child or needy children are living, aid to the child or children for
6 any month includes aid to meet the needs of that relative, if money
7 payments are made with respect to the child or children for that
8 month, and if the relative is not receiving aid under Chapter 3
9 (commencing with Section 12000) or 5.1 (commencing with
10 Section 13000) of this part or Part A of Title XVI of the Social
11 Security Act for that month. Needy relatives under this chapter

1 include only natural or adoptive parents, the spouse of a natural
2 or adoptive parent, and other needy caretaker relatives.

3 (b) For a family receiving CalWORKs, a needy child or children
4 shall be considered living with their parent or parents for a period
5 of up to six months, or for a longer time period as determined by
6 the department, of the needy child's or children's absence from
7 the family assistance unit, and the parent or parents shall be eligible
8 to receive aid, as otherwise eligible as if the child or children were
9 living with the parent or parents, as specified in subdivision (a) of
10 Section 11450 and childcare services under Article 15.5
11 (commencing with Section 8350) of Chapter 2 of Part 6 of Division
12 1 of Title 1 of the Education Code, as that article read on May 1,
13 2021, as well as services under this chapter, including services
14 funded under Sections 15204.2 and 15204.8, and the special needs
15 benefit specified in clause (i) of subparagraph (A) of paragraph
16 (3) of subdivision (f) of Section 11450, if all of the following
17 conditions are met:

18 (1) (A) The child has been removed from the parent or parents
19 and placed in out-of-home care.

20 (B) This paragraph does not require that all children be removed
21 from the parent or parents.

22 (2) (A) When the child was removed from the parent or parents,
23 the family was receiving aid under this section.

24 (B) ~~This paragraph does not require that the parent or parents~~
25 ~~were receiving aid independently from the family at the time of~~
26 ~~removal; includes a family receiving aid under this section even~~
27 ~~if, at the time of removal, the needs of the parent or parents were~~
28 ~~not included in the grant.~~

29 (3) The county has determined that the provision of aid as
30 specified in subdivision (a) of Section 11450 or the provision of
31 childcare services under Article 15.5 (commencing with Section
32 8350) of Chapter 2 of Part 6 of Division 1 of Title 1 of the
33 Education Code, as that article read on May 1, 2021, or the
34 provision of services under this chapter, including services funded
35 under Sections 15204.2 and 15204.8, and the special needs benefit
36 specified in clause (i) of subparagraph (A) of paragraph (3) of
37 subdivision (f) of Section 11450, is necessary for reunification.

38 (4) *The changes made to this subdivision by the act that added*
39 *this paragraph shall only take effect upon the department*
40 *determining that the changes will be cost neutral or will result in*

1 *savings. In making that determination, the department shall*
2 *consider, at a minimum, the ongoing cost of providing foster care*
3 *benefits for children for whom reunification will be delayed or*
4 *unsuccessful if the aid provided pursuant to this subdivision is*
5 *unavailable.*

6 (c) The department shall revise its state Temporary Assistance
7 for Needy Families plan to incorporate the provisions of
8 subdivision (b) and to incorporate the good cause exception
9 provisions the department deems necessary as authorized by
10 Section 608(a)(10)(B) of Title 42 of the United States Code.

11 (d) Notwithstanding the rulemaking provisions of the
12 Administrative Procedure Act (Chapter 3.5 (commencing with
13 Section 11340) of Part 1 of Division 3 of Title 2 of the Government
14 Code), the department may implement and administer this section
15 through all-county letters or similar instruction that shall have the
16 same force and effect as regulations until regulations are adopted.

17 (e) This section shall become operative on July 1, 2022. Prior
18 to this date, the department shall issue comprehensive policy,
19 fiscal, and claiming instructions to the counties. The department
20 shall notify the Legislature when the Statewide Automated Welfare
21 System has automated this section.

22 SEC. 2. Section 11265.85 is added to the Welfare and
23 Institutions Code, to read:

24 11265.85. A sanction imposed for failing to verify the
25 immunization of a child, pursuant to Section 11265.8, shall end
26 upon the removal of the child from the assistance unit and their
27 placement into out-of-home care.

28 SEC. 3. Section 11325.21 of the Welfare and Institutions Code,
29 as amended by Section 52 of Chapter 11 of the Statutes of 2020,
30 is amended to read:

31 11325.21. (a) (1) Any individual who is required to participate
32 in welfare-to-work activities pursuant to this article shall enter into
33 a written welfare-to-work plan with the county welfare department
34 after assessment, as required by subdivision (c) of Section 11320.1,
35 but no more than 90 days after the date that a recipient's eligibility
36 for aid is determined or the date the recipient is required to
37 participate in welfare-to-work activities pursuant to Section
38 11320.3. The recipient and the county may enter into a
39 welfare-to-work plan as late as 90 days after the completion of the
40 job search activity, as defined in subdivision (b) of Section

1 11320.1, if the job search activity is initiated within 30 days after
2 the recipient's eligibility for aid is determined. The plan shall
3 include the activities and services that will move the individual
4 into employment.

5 (2) (A) For individuals receiving benefits pursuant to
6 subdivision (b) of Section 11203, welfare-to-work activities and
7 services shall be included in a CalWORKs reunification plan,
8 which shall satisfy the requirement to have a welfare-to-work plan,
9 or in a jointly developed child welfare services and CalWORKs
10 welfare-to-work plan, which shall serve as the CalWORKs
11 reunification plan.

12 (B) For the purposes of this paragraph, "CalWORKs
13 reunification plan" means the plan for individuals receiving
14 CalWORKs benefits pursuant to subdivision (b) of Section 11203
15 that sets forth all of the activities and services that will be provided
16 through the welfare-to-work program and all of the reunification
17 services, as defined in Section 16601, that will be provided to the
18 individual through the child welfare services case plan to assist
19 the individual in reunifying with children who have been removed
20 from the home and placed in out-of-home care.

21 (b) The county shall allow the participant three working days
22 after completion of the plan or subsequent amendments to the plan
23 in which to evaluate and request changes to the terms of the plan.

24 (c) The plan shall be written in clear and understandable
25 language, and have a simple and easy-to-read format.

26 (d) The plan shall contain at least all of the following general
27 information:

28 (1) A general description of the program provided for in this
29 article, including available program components and supportive
30 services.

31 (2) A general description of the rights, duties, and
32 responsibilities of program participants, including a list of the
33 exemptions from the required participation under this article, the
34 consequences of a refusal to participate in program components,
35 and criteria for successful completion of the program.

36 (3) A description of the grace period required in paragraph (5)
37 of subdivision (b) of Section 11325.22.

38 (e) (1) The plan shall specify, and shall be amended to reflect
39 changes in, the participant's welfare-to-work activity, a description
40 of services to be provided in accordance with Sections 11322.6,

1 11322.8, and 11322.85, as needed, and specific requirements for
2 successful completion of assigned activities, including required
3 hours of participation.

4 (2) The plan shall also include a general description of
5 supportive services pursuant to Section 11323.2 that are to be
6 provided as necessary for the participant to complete assigned
7 program activities.

8 (f) Any assignment to a program component shall be reflected
9 in the plan or an amendment to the plan. The participant shall
10 maintain satisfactory progress toward employment through the
11 methods set forth in the plan, and the county shall provide the
12 services pursuant to Section 11323.2.

13 (g) This section shall not apply to individuals subject to Article
14 3.5 (commencing with Section 11331) during the time that article
15 is operative.

16 (h) This section shall become inoperative on May 1, 2022, or
17 when the department notifies the Legislature that the Statewide
18 Automated Welfare System can perform the necessary automation
19 to implement Section 11325.21, as added by the act that added
20 this subdivision, whichever date is later, and, as of January 1 of
21 the following year, is repealed.

22 SEC. 4. Section 11325.21 of the Welfare and Institutions Code,
23 as added by Section 53 of Chapter 11 of the Statutes of 2020, is
24 amended to read:

25 11325.21. (a) (1) Any individual who is required to participate
26 in welfare-to-work activities pursuant to this article shall enter into
27 a written welfare-to-work plan with the county welfare department
28 after assessment, as required by subdivision (c) of Section 11320.1,
29 but no more than 90 days after the date that a recipient's eligibility
30 for aid is determined or the date the recipient is required to
31 participate in welfare-to-work activities pursuant to Section
32 11320.3. The recipient and the county may enter into a
33 welfare-to-work plan as late as 90 days after the completion of the
34 job search activity, as defined in subdivision (b) of Section
35 11320.1, if the job search activity is initiated within 30 days after
36 the recipient's eligibility for aid is determined. The plan shall
37 include the activities and services that will move the individual
38 into employment.

39 (2) (A) For individuals receiving benefits pursuant to
40 subdivision (b) of Section 11203, welfare-to-work activities and

1 services shall be included in a CalWORKs reunification plan,
2 which shall satisfy the requirement to have a welfare-to-work plan,
3 or in a jointly developed child welfare services and CalWORKs
4 welfare-to-work plan, which shall serve as the CalWORKs
5 reunification plan.

6 (B) For the purposes of this paragraph, “CalWORKs
7 reunification plan” means the plan for individuals receiving
8 CalWORKs benefits pursuant to subdivision (b) of Section 11203
9 that sets forth all of the activities and services that will be provided
10 through the welfare-to-work program and all of the reunification
11 services, as defined in Section 16601, that will be provided to the
12 individual through the child welfare services case plan to assist
13 the individual in reunifying with children who have been removed
14 from the home and placed in out-of-home care.

15 (b) The county shall allow the participant three working days
16 after completion of the plan or subsequent amendments to the plan
17 in which to evaluate and request changes to the terms of the plan.

18 (c) The plan shall be written in clear and understandable
19 language, and have a simple and easy-to-read format.

20 (d) The plan shall contain at least all of the following general
21 information:

22 (1) A general description of the program provided for in this
23 article, including available program components and supportive
24 services.

25 (2) A general description of the rights, duties, and
26 responsibilities of program participants, including a list of the
27 exemptions from the required participation under this article, the
28 consequences of a refusal to participate in program components,
29 and criteria for successful completion of the program.

30 (3) A description of the grace period required in paragraph (5)
31 of subdivision (b) of Section 11325.22.

32 (e) (1) The plan shall specify, and shall be amended to reflect
33 changes in, the participant’s welfare-to-work activity, a description
34 of services to be provided in accordance with Sections 11322.6
35 and 11322.8, as needed, and specific requirements for successful
36 completion of assigned activities, including required hours of
37 participation.

38 (2) The plan shall also include a general description of
39 supportive services pursuant to Section 11323.2 that are to be

1 provided as necessary for the participant to complete assigned
2 program activities.

3 (f) Any assignment to a program component shall be reflected
4 in the plan or an amendment to the plan. The participant shall
5 maintain satisfactory progress toward employment through the
6 methods set forth in the plan, and the county shall provide the
7 services pursuant to Section 11323.2.

8 (g) This section shall not apply to individuals subject to Article
9 3.5 (commencing with Section 11331) during the time that article
10 is operative.

11 (h) This section shall become operative on May 1, 2022, or
12 when the department notifies the Legislature that the Statewide
13 Automated Welfare System can perform the necessary automation
14 to implement this section, whichever date is later.

15 SEC. 5. No appropriation pursuant to Section 15200 of the
16 Welfare and Institutions Code shall be made for purposes of this
17 act.

18 SEC. 6. If the Commission on State Mandates determines that
19 this act contains costs mandated by the state, reimbursement to
20 local agencies and school districts for those costs shall be made
21 pursuant to Part 7 (commencing with Section 17500) of Division
22 4 of Title 2 of the Government Code.