

AMENDED IN ASSEMBLY MARCH 24, 2025

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

**ASSEMBLY BILL**

**No. 461**

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**Introduced by Assembly Member Ahrens**

February 6, 2025

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An act to ~~amend Section 16001.7~~ repeal Section 270.1 of the Penal Code, and to amend, repeal, and add Section 11253.5 of the Welfare and Institutions Code, relating to ~~foster care~~ truancy.

LEGISLATIVE COUNSEL’S DIGEST

AB 461, as amended, Ahrens. ~~Foster care~~. Truancy: CalWORKs: school attendance.

(1) Existing law requires each county to provide cash assistance and other social services to needy families through the California Work Opportunity and Responsibility to Kids (CalWORKs) program using federal Temporary Assistance for Needy Families block grant program, state, and county funds. Under the CalWORKs program, certain recipients are required to participate in the welfare-to-work program, which includes the completion of various welfare-to-work activities, including, among others, unsubsidized employment, subsidized private sector employment, subsidized public sector employment, and self-employment.

Existing law, the Compulsory Education Law, generally makes persons between the ages of 6 and 18 years of age subject to compulsory full-time education, unless exempted. Existing law also requires children in a CalWORKs assistance unit for whom school attendance is compulsory to attend school, except as specified. Under existing law, the needs of a child in the assistance unit who is 16 years of age or older are not considered in computing the specified grant of the family

*for any month in which the county is informed by a school district or a county school attendance review board that the child did not attend school, unless at least one of certain conditions is present.*

*This bill would, commencing July 1, 2026, or the date when the State Department of Social Services has made a specified determination, whichever is later, repeal the requirement under CalWORKs for a child in an assistance unit to attend school and would repeal the prohibition against considering the needs of a child in an assistance unit who is 16 years of age or older who did not attend school, thereby allowing the needs of that child to be considered in computing the monthly family grant. The bill would, commencing on the date those provisions are repealed, if a county human services agency is informed that a child is not complying with the Compulsory Education Law, require the county human services agency to screen the family for family stabilization services and authorize the child, if they are 16 years of age or older, to voluntarily participate in the welfare-to-work program. By increasing the duties of county human services agencies, this bill would impose a state-mandated local program.*

*(2) Existing law makes a parent or guardian of a pupil of 6 years of age or more who is in kindergarten or any of grades 1 to 8, inclusive, and subject to compulsory full-time or continuing education, whose child is a chronic truant, as defined, who has failed to reasonably supervise and encourage the pupil's school attendance, and who has been offered support services to address the pupil's truancy, guilty of a misdemeanor that is punishable by a fine of up to \$2,000, or imprisonment in a county jail for up to one year, or both that fine and imprisonment.*

*This bill would repeal that criminal offense.*

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

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

*(4) 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.*

~~Existing law requires the State Department of Social Services to promote the participation of current and former foster youth in the development of state foster care and child welfare policy and, subject to the availability of funds, to contract with California Youth Connection to provide technical assistance and outreach to current and former foster youth.~~

~~This bill would make technical, nonsubstantive changes to that provision.~~

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

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

1     *SECTION 1. This act shall be known and may be cited as the*  
2     *More Help Not Less Act of 2025.*

3  
4                     *More Help Not Less Act of 2025*  
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6     *SEC. 2. Section 270.1 of the Penal Code is repealed.*

7     ~~270.1. (a) A parent or guardian of a pupil of six years of age~~  
8     ~~or more who is in kindergarten or any of grades 1 to 8, inclusive,~~  
9     ~~and who is subject to compulsory full-time education or~~  
10    ~~compulsory continuation education, whose child is a chronic truant~~  
11    ~~as defined in Section 48263.6 of the Education Code, who has~~  
12    ~~failed to reasonably supervise and encourage the pupil's school~~  
13    ~~attendance, and who has been offered language accessible support~~  
14    ~~services to address the pupil's truancy, is guilty of a misdemeanor~~  
15    ~~punishable by a fine not exceeding two thousand dollars (\$2,000),~~  
16    ~~or by imprisonment in a county jail not exceeding one year, or by~~  
17    ~~both that fine and imprisonment. A parent or guardian guilty of a~~  
18    ~~misdemeanor under this subdivision may participate in the deferred~~  
19    ~~entry of judgment program defined in subdivision (b).~~

20    ~~(b) A superior court may establish a deferred entry of judgment~~  
21    ~~program that includes the components listed in paragraphs (1) to~~  
22    ~~(7), inclusive, to adjudicate cases involving parents or guardians~~  
23    ~~of elementary school pupils who are chronic truants as defined in~~  
24    ~~Section 48263.6 of the Education Code:~~

25    ~~(1) A dedicated court calendar.~~

26    ~~(2) Leadership by a judge of the superior court in that county.~~

1     ~~(3) Meetings, scheduled and held periodically, with school~~  
2     ~~district representatives designated by the chronic truant's school~~  
3     ~~district of enrollment. Those representatives may include school~~  
4     ~~psychologists, school counselors, teachers, school administrators,~~  
5     ~~or other educational service providers deemed appropriate by the~~  
6     ~~school district.~~

7     ~~(4) Service referrals for parents or guardians, as appropriate to~~  
8     ~~each case that may include, but are not limited to, all of the~~  
9     ~~following:~~

10    ~~(A) Case management.~~

11    ~~(B) Mental and physical health services.~~

12    ~~(C) Parenting classes and support.~~

13    ~~(D) Substance abuse treatment.~~

14    ~~(E) Child care and housing.~~

15    ~~(5) A clear statement that, in lieu of trial, the court may grant~~  
16    ~~deferred entry of judgment with respect to the current crime or~~  
17    ~~crimes charged if the defendant pleads guilty to each charge and~~  
18    ~~waives time for the pronouncement of judgment and that, upon~~  
19    ~~the defendant's compliance with the terms and conditions set forth~~  
20    ~~by the court and agreed to by the defendant upon the entry of his~~  
21    ~~or her plea, and upon the motion of the prosecuting attorney, the~~  
22    ~~court will dismiss the charge or charges against the defendant and~~  
23    ~~the same procedures specified for successful completion of a drug~~  
24    ~~diversion program or a deferred entry of judgment program~~  
25    ~~pursuant to Section 851.90 and the provisions of Section 1203.4~~  
26    ~~shall apply.~~

27    ~~(6) A clear statement that failure to comply with any condition~~  
28    ~~under the program may result in the prosecuting attorney or the~~  
29    ~~court making a motion for entry of judgment, whereupon the court~~  
30    ~~will render a finding of guilty to the charge or charges pled, enter~~  
31    ~~judgment, and schedule a sentencing hearing as otherwise provided~~  
32    ~~in this code.~~

33    ~~(7) An explanation of criminal record retention and disposition~~  
34    ~~resulting from participation in the deferred entry of judgment~~  
35    ~~program and the defendant's rights relative to answering questions~~  
36    ~~about his or her arrest and deferred entry of judgment following~~  
37    ~~successful completion of the program.~~

38    ~~(c) Funding for the deferred entry of judgment program pursuant~~  
39    ~~to this section shall be derived solely from nonstate sources.~~

1     ~~(d) A parent or guardian of an elementary school pupil who is~~  
2     ~~a chronic truant, as defined in Section 48263.6 of the Education~~  
3     ~~Code, may not be punished for a violation of both this section and~~  
4     ~~the provisions of Section 272 that involve criminal liability for~~  
5     ~~parents and guardians of truant children.~~

6     ~~(e) If any district attorney chooses to charge a defendant with~~  
7     ~~a violation of subdivision (a) and the defendant is found by the~~  
8     ~~prosecuting attorney to be eligible or ineligible for deferred entry~~  
9     ~~of judgment, the prosecuting attorney shall file with the court a~~  
10    ~~declaration in writing, or state for the record, the grounds upon~~  
11    ~~which that determination is based.~~

12    ~~SEC. 3. Section 11253.5 of the Welfare and Institutions Code~~  
13    ~~is amended to read:~~

14    11253.5. (a) All children in an assistance unit for whom school  
15    attendance is compulsory, except individuals who are eligible for  
16    the Cal-Learn Program under Article 3.5 (commencing with  
17    Section 11331), for any period during which that article is  
18    operative, and children subject to a county school attendance  
19    project under Article 2 (commencing with Section 18236) of  
20    Chapter 3.3 of Part 6, shall be required to attend school pursuant  
21    to subdivision (f).

22    (b) Applicants for and recipients of aid under this chapter shall  
23    be informed of the attendance requirement in subdivision (a) and  
24    it shall be included in the recipients' welfare-to-work plan under  
25    Section 11325.21.

26    (c) A recipient shall cooperate in providing the county with  
27    documentation routinely available from the school or school district  
28    of regular attendance of all children described in subdivision (a)  
29    in the assistance unit when the county determines it is appropriate,  
30    unless there is good cause for the inability to secure that  
31    documentation.

32    (d) If it is determined by the county that any child in the  
33    assistance unit is not attending school as required by subdivision  
34    (a), the family may be informed of how to enroll the child in a  
35    continuation school within the county and may be screened to  
36    determine eligibility for family stabilization services pursuant to  
37    Section 11325.24 and in accordance with county policy and  
38    procedures. If applicable, the county shall document that the family  
39    was given this information and was screened for those services.  
40    The needs of a child in the assistance unit who is 16 years of age

1 or older shall not be considered in computing the grant of the  
2 family under Section 11450 for any month in which the county is  
3 informed by a school district or a county school attendance review  
4 board that the child did not attend school pursuant to subdivision  
5 (f), unless at least one of the following conditions is present:

6 (1) The county is provided with evidence that the child's  
7 attendance records are not available.

8 (2) The county is provided with evidence that the child has been  
9 attending school.

10 (3) Good cause for school nonparticipation exists at any time  
11 during the month. A circumstance that shall constitute good cause  
12 includes, but is not limited to, the applicant or recipient is in a  
13 domestic violence situation that results in school nonparticipation  
14 or the failure to cooperate.

15 (4) Any member of the household is eligible to participate in  
16 family stabilization pursuant to Section 11325.24.

17 (5) The county is provided with evidence that the child, parent,  
18 or caregiver is complying with requirements imposed by a school  
19 attendance review board, the county probation department, or the  
20 district attorney pursuant to Section 48263 or 48263.5 of the  
21 Education Code.

22 (6) A member of the household is cooperating with a plan  
23 developed by a county child welfare agency.

24 (e) A child whose needs have not been considered in computing  
25 the grant of the family pursuant to this section shall remain eligible  
26 for services that may lead to attendance in school.

27 (f) For the purposes of this section, a child shall be presumed  
28 to be attending school unless ~~he or she~~ *the child* has been deemed  
29 a chronic truant pursuant to Section 48263.6 of the Education  
30 Code.

31 ~~(g) This section shall become operative on July 1, 2018.~~

32 *(g) This section shall remain in effect only until July 1, 2026,*  
33 *or the date that the department notifies the Legislature that the*  
34 *Statewide Automated Welfare System can perform the necessary*  
35 *automation to implement this section, as added by Section 4 of the*  
36 *act that added this subdivision, whichever date is later, and, as of*  
37 *January 1, 2027, or January 1 of the year following the Legislature*  
38 *receiving that notification, whichever date is later, is repealed.*

39 *SEC. 4. Section 11253.5 is added to the Welfare and Institutions*  
40 *Code, to read:*

11253.5. (a) If the county human services agency is informed that any child in the assistance unit is not attending school as required by the Compulsory Education Law (Chapter 2 (commencing with Section 48200) of Part 27 of Division 4 of Title 2 of the Education Code), both of the following shall apply:

(1) The county human services agency shall screen the family to determine eligibility for family stabilization services pursuant to Section 11325.24 and in accordance with county policy and procedures.

(2) The child, if they are 16 years of age or older, may voluntarily participate in the welfare-to-work program established in Article 3.2 (commencing with Section 11320). A child who participates in that program pursuant to this paragraph shall be eligible to participate in all welfare-to-work activities available to an adult participant, including, but not limited to, substance abuse services, mental health services, vocational education, or job readiness activities, as long as activities support, but do not interfere with, the child's compliance with the Compulsory Education Law or attendance or progress in school, and that all welfare-to-work activities support the goal of the child completing their secondary education, or it's equivalent.

(b) A child who is not attending school as required by the Compulsory Education Law shall remain eligible for services that may lead to attendance in school.

(c) This section shall become operative on July 1, 2026, or on the date that the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this section, whichever date is later.

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

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

~~SECTION 1. Section 16001.7 of the Welfare and Institutions Code is amended to read:~~

~~16001.7. (a) The department shall promote the participation of current and former foster youth in the development of state~~

1 foster care and child welfare policy. Subject to the availability of  
2 funds, the department shall contract with California Youth  
3 Connection to provide technical assistance and outreach to current  
4 and former foster youth. In executing this contract, the  
5 responsibilities of California Youth Connection shall include, but  
6 are not limited to, all of the following:

7 (1) Providing leadership training to current and former foster  
8 youth between 14 and 21 years of age.

9 (2) Providing outreach and technical assistance to current and  
10 former foster youth to form and maintain California Youth  
11 Connection chapters, including recruiting and training adult  
12 volunteer supporters.

13 (3) Enabling foster youth to be represented in policy discussions  
14 pertinent to foster care and child welfare issues.

15 (4) Enhancing the well-being of foster youth and increasing  
16 public understanding of foster care and child welfare issues.

17 (5) Developing educational materials and forums related to  
18 foster care.

19 (b) Funds provided to California Youth Connection pursuant  
20 to the contract shall not be used for activities that are not allowed  
21 under federal law relating to the receipt of federal financial  
22 participation for independent living services, including, but not  
23 limited to, lobbying and litigation.