

AMENDED IN ASSEMBLY MARCH 27, 2025

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1074**

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**Introduced by Assembly Member Patel**

February 20, 2025

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An act to amend ~~Section 11203~~ *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 to be a longer time period 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.

*(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.*

~~(2)~~

(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.

(3)

(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.

(4)

(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  
12 include only natural or adoptive parents, the spouse of a natural  
13 or adoptive parent, and other needy caretaker relatives.  
14 (b) For a family receiving CalWORKs, a needy child or children  
15 shall be considered living with their parent or parents for a period

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

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

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

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

20 (B) This paragraph does not require that the parent or parents  
21 were receiving aid independently from the family at the time of  
22 removal.

23 (3) The county has determined that the provision of aid as  
24 specified in subdivision (a) of Section 11450 or the provision of  
25 childcare services under Article 15.5 (commencing with Section  
26 8350) of Chapter 2 of Part 6 of Division 1 of Title 1 of the  
27 Education Code, as that article read on May 1, 2021, or the  
28 provision of services under this chapter, including services funded  
29 under Sections 15204.2 and 15204.8, and the special needs benefit  
30 specified in clause (i) of subparagraph (A) of paragraph (3) of  
31 subdivision (f) of Section 11450, is necessary for reunification.

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

37 (d) Notwithstanding the rulemaking provisions of the  
38 Administrative Procedure Act (Chapter 3.5 (commencing with  
39 Section 11340) of Part 1 of Division 3 of Title 2 of the Government  
40 Code), the department may implement and administer this section

1 through all-county letters or similar instruction that shall have the  
2 same force and effect as regulations until regulations are adopted.

3 (e) This section shall become operative on July 1, 2022. Prior  
4 to this date, the department shall issue comprehensive policy,  
5 fiscal, and claiming instructions to the counties. The department  
6 shall notify the Legislature when the Statewide Automated Welfare  
7 System has automated this section.

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

10 11265.85. A sanction imposed for failing to verify the  
11 immunization of a child, pursuant to Section 11265.8, shall end  
12 upon the removal of the child from the assistance unit and their  
13 placement into out-of-home care.

14 SEC. 3. *Section 11325.21 of the Welfare and Institutions Code,*  
15 *as amended by Section 52 of Chapter 11 of the Statutes of 2020,*  
16 *is amended to read:*

17 11325.21. (a) (1) Any individual who is required to participate  
18 in welfare-to-work activities pursuant to this article shall enter into  
19 a written welfare-to-work plan with the county welfare department  
20 after assessment, as required by subdivision (c) of Section 11320.1,  
21 but no more than 90 days after the date that a recipient's eligibility  
22 for aid is determined or the date the recipient is required to  
23 participate in welfare-to-work activities pursuant to Section  
24 11320.3. The recipient and the county may enter into a  
25 welfare-to-work plan as late as 90 days after the completion of the  
26 job search activity, as defined in subdivision (b) of Section  
27 11320.1, if the job search activity is initiated within 30 days after  
28 the recipient's eligibility for aid is determined. The plan shall  
29 include the activities and services that will move the individual  
30 into employment.

31 (2) (A) *For individuals receiving benefits pursuant to*  
32 *subdivision (b) of Section 11203, welfare-to-work activities and*  
33 *services shall be included in a CalWORKs reunification plan,*  
34 *which shall satisfy the requirement to have a welfare-to-work plan,*  
35 *or in a jointly developed child welfare services and CalWORKs*  
36 *welfare-to-work plan, which shall serve as the CalWORKs*  
37 *reunification plan.*

38 (B) *For the purposes of this paragraph, "CalWORKs*  
39 *reunification plan" means the plan for individuals receiving*  
40 *CalWORKs benefits pursuant to subdivision (b) of Section 11203*

1 *that sets forth all of the activities and services that will be provided*  
2 *through the welfare-to-work program and all of the reunification*  
3 *services, as defined in Section 16601, that will be provided to the*  
4 *individual through the child welfare services case plan to assist*  
5 *the individual in reunifying with children who have been removed*  
6 *from the home and placed in out-of-home care.*

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

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

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

14 (1) A general description of the program provided for in this  
15 article, including available program components and supportive  
16 services.

17 (2) A general description of the rights, duties, and  
18 responsibilities of program participants, including a list of the  
19 exemptions from the required participation under this article, the  
20 consequences of a refusal to participate in program components,  
21 and criteria for successful completion of the program.

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

24 (e) (1) The plan shall specify, and shall be amended to reflect  
25 changes in, the participant's welfare-to-work activity, a description  
26 of services to be provided in accordance with Sections 11322.6,  
27 11322.8, and 11322.85, as needed, and specific requirements for  
28 successful completion of assigned activities, including required  
29 hours of participation.

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

34 (f) Any assignment to a program component shall be reflected  
35 in the plan or an amendment to the plan. The participant shall  
36 maintain satisfactory progress toward employment through the  
37 methods set forth in the plan, and the county shall provide the  
38 services pursuant to Section 11323.2.

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

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

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

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

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

(B) *For the purposes of this paragraph, "CalWORKs reunification plan" means the plan for individuals receiving CalWORKs benefits pursuant to subdivision (b) of Section 11203 that sets forth all of the activities and services that will be provided through the welfare-to-work program and all of the reunification services, as defined in Section 16601, that will be provided to the individual through the child welfare services case plan to assist*

1 *the individual in reunifying with children who have been removed*  
2 *from the home and placed in out-of-home care.*

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

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

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

10 (1) A general description of the program provided for in this  
11 article, including available program components and supportive  
12 services.

13 (2) A general description of the rights, duties, and  
14 responsibilities of program participants, including a list of the  
15 exemptions from the required participation under this article, the  
16 consequences of a refusal to participate in program components,  
17 and criteria for successful completion of the program.

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

20 (e) (1) The plan shall specify, and shall be amended to reflect  
21 changes in, the participant's welfare-to-work activity, a description  
22 of services to be provided in accordance with Sections 11322.6  
23 and 11322.8, as needed, and specific requirements for successful  
24 completion of assigned activities, including required hours of  
25 participation.

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

30 (f) Any assignment to a program component shall be reflected  
31 in the plan or an amendment to the plan. The participant shall  
32 maintain satisfactory progress toward employment through the  
33 methods set forth in the plan, and the county shall provide the  
34 services pursuant to Section 11323.2.

35 (g) This section shall not apply to individuals subject to Article  
36 3.5 (commencing with Section 11331) during the time that article  
37 is operative.

38 (h) This section shall become operative on May 1, 2022, or  
39 when the department notifies the Legislature that the Statewide



1 Automated Welfare System can perform the necessary automation  
2 to implement this section, whichever date is later.

3 ~~SEC. 3.~~

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

7 ~~SEC. 4.~~

8 *SEC. 6.* If the Commission on State Mandates determines that  
9 this act contains costs mandated by the state, reimbursement to  
10 local agencies and school districts for those costs shall be made  
11 pursuant to Part 7 (commencing with Section 17500) of Division  
12 4 of Title 2 of the Government Code.