

ASSEMBLY BILL

No. 1983

Introduced by Assembly Member Bass

February 9, 2006

An act to amend Section 11403 of the Welfare and Institutions Code, relating to foster children, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1983, as introduced, Bass. Foster care.

Existing law permits a child who is in foster care and receiving aid pursuant to the Aid to Families with Dependent Children-Foster Care (AFDC-FC) program, who is attending high school or the equivalent level of vocational or technical training on a full-time basis prior to his or her 18th birthday, to continue to receive aid following his or her 18th birthday, if the child continues to reside in foster care placement, remains otherwise eligible for AFDC-FC payments, and continues to attend high school or the equivalent level of vocational or technical training on a full-time basis or is pursuing a high school equivalency certificate and if the child may reasonably be expected to complete the educational or training program before his or her 19th birthday. Existing law continuously appropriates moneys from the General Fund to defray a portion of county aid grant costs under the CalWORKs program, which includes the AFDC-FC program.

This bill would extend the eligibility of an otherwise eligible child receiving aid under the AFDC-FC program but who does not meet the eligibility conditions described above, for the period during which the child continues to remain in foster care placement, until the child finishes high school, obtains an equivalency certificate, or finishes the equivalent level of vocational or educational training, or until the child

reaches 25 years of age, whichever occurs first. By extending eligibility for AFDC-FC benefits, this bill would make an appropriation. By extending eligibility for AFDC-FC benefits, this bill would increase the duties of counties administering the program, thus imposing a state-mandated local program.

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 these statutory provisions.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: yes.

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

1 SECTION 1. Section 11403 of the Welfare and Institutions
2 Code is amended to read:
3 11403. (a) A child who is in foster care and receiving aid
4 pursuant to this chapter and who is attending high school or the
5 equivalent level of vocational or technical training on a full-time
6 basis, or who is in the process of pursuing a high school
7 equivalency certificate, prior to his or her 18th birthday, may
8 continue to receive aid following his or her 18th birthday so long
9 as the child continues to reside in foster care placement, remains
10 otherwise eligible for AFDC-FC payments, and continues to
11 attend high school or the equivalent level of vocational or
12 technical training on a full-time basis, or continues to pursue a
13 high school equivalency certificate, and the child may reasonably
14 be expected to complete the educational or training program or to
15 receive a high school equivalency certificate, before his or her
16 19th birthday. Aid shall be provided to an individual pursuant to
17 this section provided both the individual and the agency
18 responsible for the foster care placement have signed a mutual
19 agreement, if the individual is capable of making an informed
20 agreement, which documents the continued need for out-of-home
21 placement.

1 ***(b) Any child who is in foster care and receiving aid pursuant***
2 ***to this chapter and who does not meet the requirements of***
3 ***subdivision (a) and remains otherwise eligible for AFDC-FC***
4 ***payments shall continue to receive aid pursuant to this chapter***
5 ***as long as the child continues to reside in foster care placement,***
6 ***until the child completes high school, obtains a certificate of***
7 ***equivalency, completes the educational training, or reaches 25***
8 ***years of age, whichever occurs first.***

9 SEC. 2. If the Commission on State Mandates determines that
10 this act contains costs mandated by the state, reimbursement to
11 local agencies and school districts for those costs shall be made
12 pursuant to Part 7 (commencing with Section 17500) of Division
13 4 of Title 2 of the Government Code.