

AMENDED IN SENATE JUNE 23, 2014

AMENDED IN SENATE JUNE 15, 2014

AMENDED IN ASSEMBLY MAY 23, 2014

AMENDED IN ASSEMBLY APRIL 22, 2014

AMENDED IN ASSEMBLY MARCH 17, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1658

**Introduced by Assembly Members Jones-Sawyer and Chau
(Principal coauthor: Assembly Member Quirk-Silva)**

February 12, 2014

An act to amend Section 10618.6 of the Welfare and Institutions Code, relating to foster care.

LEGISLATIVE COUNSEL'S DIGEST

AB 1658, as amended, Jones-Sawyer. Foster care: consumer credit reports.

Existing federal law, the Child and Family Services Improvement and Innovation Act of 2011, requires that each child in foster care under the responsibility of the state who has attained 16 years of age receives without cost a copy of any consumer report pertaining to the child each year until the child is discharged from care, and receives assistance in interpreting and resolving any inaccuracies in the report.

Existing law provides for child welfare services, which are public social services directed toward, among other purposes, protecting and promoting the welfare of all children, including those in foster care placement. Existing law declares the policy of the Legislature that all

children in foster care be free from abuse. Existing law requires a county welfare department, county probation department, or the State Department of Social Services to request a consumer credit disclosure on behalf of a child in a foster care placement in the county when the child reaches his or her 16th birthday, and each year thereafter while the child is under the jurisdiction of the juvenile court.

This bill would require all counties and the State Department of Social Services to be in full compliance with these provisions and the federal act by July 1, 2015, and would require the State Department of Social Services to, by January 1, 2016, submit a report to the Legislature that identifies the counties that are in compliance with these provisions and the federal act, and the counties that are not in compliance.

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

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

1 SECTION 1. Section 10618.6 of the Welfare and Institutions
 2 Code is amended to read:
 3 10618.6. (a) Pursuant to the federal Child and Family Services
 4 Improvement and Innovation Act of 2011, when a child in a foster
 5 care placement reaches his or her 16th birthday, and each year
 6 thereafter, while the child is under the jurisdiction of the juvenile
 7 court, the county welfare department, county probation department,
 8 or, if an automated process is available, the State Department of
 9 Social Services, shall request a consumer credit disclosure from
 10 each of the three major credit reporting agencies, pursuant to the
 11 free annual disclosure provision of the federal Fair Credit Reporting
 12 Act, on the child’s behalf, notwithstanding any other law.
 13 ~~(1) If a child in foster care placement is found to have an active~~
 14 ~~consumer credit report, the county social worker or probation~~
 15 ~~officer shall immediately notify the three major credit reporting~~
 16 ~~agencies of the child’s placement in foster care and request the~~
 17 ~~placement of a freeze on the report, unless the child declines.~~
 18 ~~(2) If a child in foster care placement is not found to have an~~
 19 ~~active consumer credit report, the county social worker or probation~~
 20 ~~officer shall provide the credit reporting agencies with information~~
 21 ~~necessary to preclude the child from having a credit account created~~
 22 ~~in his or her name, unless the child declines.~~

1 (b) For a nonminor dependent, the county welfare department
2 or county probation department shall assist the young adult, on a
3 yearly basis while the nonminor dependent is under the jurisdiction
4 of the juvenile court, with requesting the consumer credit disclosure
5 from each of the three major credit reporting agencies, pursuant
6 to the free annual disclosure provision of the federal Fair Credit
7 Reporting Act.

8 (c) The county social worker or county probation officer shall
9 ensure that the child or nonminor dependent receives assistance
10 with interpreting the consumer credit disclosure and resolving any
11 inaccuracies. The assistance may include, but is not limited to,
12 referring the youth to a governmental or nonprofit agency that
13 provides consumer credit services. This section does not require
14 the social worker or probation officer to be the individual providing
15 the direct assistance with interpreting the consumer credit
16 disclosure or resolving the inaccuracies.

17 (d) Notwithstanding any other law, in order to request a
18 consumer credit disclosure for youth pursuant to this section, the
19 county welfare department, county probation department, or, if an
20 automated process is available, the State Department of Social
21 Services may release necessary information to a credit reporting
22 agency.

23 (e) All counties and the State Department of Social Services
24 shall be in full compliance with this section and the federal Child
25 and Family Services Improvement and Innovation Act of 2011 by
26 July 1, 2015.

27 (f) (1) No later than January 1, 2016, the State Department of
28 Social Services shall submit a report to the Legislature that
29 identifies the counties that are in compliance with this section and
30 the federal Child and Family Services Improvement and Innovation
31 Act of 2011, and the counties that are not in compliance.

32 (2) A report submitted pursuant to paragraph (1) shall be
33 submitted in compliance with Section 9795 of the Government
34 Code.

35 (3) The requirement for submitting a report imposed under
36 paragraph (1) is inoperative on January 1, 2020, pursuant to Section
37 10231.5 of the Government Code.

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