

AMENDED IN SENATE AUGUST 4, 2014  
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**

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

February 12, 2014

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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, as specified.

~~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. instead require a county welfare department, county probation department, or the State Department of Social Services to inquire of each of the 3 major credit reporting agencies as to whether a child described above has any consumer credit history, as specified. The bill would require the State Department of Social Services, if it makes the inquiry, to notify the county welfare department or the county probation department in the county having jurisdiction over the child of the results of that inquiry. The bill would also provide that if an inquiry performed pursuant to these provisions indicates that a child has a consumer credit history with any major credit reporting agency, the responsible county welfare department or county probation department is required to request a consumer credit report from that agency.~~

*The bill would also require the State Department of Social Services to provide specified information related to the implementation of these provisions to the Assembly Committee on Budget, the Senate Budget and Fiscal Review Committee, and the appropriate legislative policy committees by no later than February 1, 2016. The bill would make other technical, nonsubstantive changes to these provisions.*

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) (1) When a~~

1 child in a foster care placement reaches his or her 16th birthday,  
2 and each year thereafter, while the child is under the jurisdiction  
3 of the juvenile court, the county welfare department, county  
4 probation department, or, if an automated process is available, the  
5 State Department of Social Services, shall ~~request a consumer~~  
6 ~~credit disclosure from~~ *inquire of* each of the three major credit  
7 reporting agencies, pursuant to the free annual disclosure provision  
8 of the federal Fair Credit Reporting Act, ~~on the child's behalf,~~  
9 ~~notwithstanding any other law~~ *agencies as to whether the child*  
10 *has any consumer credit history.*

11 (2) *If the State Department of Social Services makes the inquiry,*  
12 *it shall notify the county welfare department or county probation*  
13 *department in the county having jurisdiction over the child of the*  
14 *results of that inquiry.*

15 (3) *Pursuant to the federal Child and Family Services*  
16 *Improvement and Innovation Act of 2011 and the federal Fair*  
17 *Credit Reporting Act, if an inquiry performed pursuant to this*  
18 *subdivision indicates that a child has a consumer credit history*  
19 *with any major credit reporting agency, the responsible county*  
20 *welfare department or county probation department shall request*  
21 *a consumer credit report from that credit reporting agency.*

22 (b) For a nonminor dependent, the county welfare department  
23 or county probation department shall assist the young adult, on a  
24 yearly basis while the nonminor dependent is under the jurisdiction  
25 of the juvenile court, with requesting the consumer credit ~~disclosure~~  
26 *report* from each of the three major credit reporting agencies,  
27 pursuant to the free annual disclosure provision of the federal Fair  
28 Credit Reporting Act.

29 (c) The county social worker or county probation officer shall  
30 ensure that the child or nonminor dependent receives assistance  
31 with interpreting the consumer credit ~~disclosure~~ *report* and  
32 resolving any inaccuracies. The assistance may include, but is not  
33 limited to, referring the youth to a governmental or nonprofit  
34 agency that provides consumer credit services. This section does  
35 not require the social worker or probation officer to be the  
36 individual providing the direct assistance with interpreting the  
37 consumer credit disclosure or resolving the inaccuracies.

38 (d) Notwithstanding any other law, in order to *make an inquiry*  
39 *or to request a consumer credit disclosure report* for youth pursuant  
40 to this section, the county welfare department, county probation

1 department, or, if an automated process is available, the State  
2 Department of Social Services may release necessary information  
3 to a credit reporting agency.

4 ~~(e) All counties and the State Department of Social Services~~  
5 ~~shall be in full compliance with this section and the federal Child~~  
6 ~~and Family Services Improvement and Innovation Act of 2011 by~~  
7 ~~July 1, 2015.~~

8 ~~(f) (1) No later than January 1, 2016, the State Department of~~  
9 ~~Social Services shall submit a report to the Legislature that~~  
10 ~~identifies the counties that are in compliance with this section and~~  
11 ~~the federal Child and Family Services Improvement and Innovation~~  
12 ~~Act of 2011, and the counties that are not in compliance.~~

13 ~~(2) A report submitted pursuant to paragraph (1) shall be~~  
14 ~~submitted in compliance with Section 9795 of the Government~~  
15 ~~Code.~~

16 ~~(3) The requirement for submitting a report imposed under~~  
17 ~~paragraph (1) is inoperative on January 1, 2020, pursuant to Section~~  
18 ~~10231.5 of the Government Code.~~

19 *(e) No later than February 1, 2016, the State Department of*  
20 *Social Services shall provide information to the Assembly*  
21 *Committee on Budget, the Senate Budget and Fiscal Review*  
22 *Committee, and the appropriate legislative policy committees*  
23 *regarding the implementation of this section, including, but not*  
24 *limited to, any state and county barriers to obtaining credit reports*  
25 *as required by the federal Child and Family Services Improvement*  
26 *and Innovation Act of 2011.*