

## Assembly Bill No. 1658

### CHAPTER 762

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

[Approved by Governor September 29, 2014. Filed with  
Secretary of State September 29, 2014.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 1658, 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 receive without cost a copy of any consumer report pertaining to the child each year until the child is discharged from care, and 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 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.

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

SECTION 1. Section 10618.6 of the Welfare and Institutions Code is amended to read:

10618.6. (a) (1) When a child in a foster care placement reaches his or her 16th birthday, and each year thereafter, while the child is under the jurisdiction of the juvenile court, the county welfare department, county probation department, or, if an automated process is available, the State Department of Social Services, shall inquire of each of the three major credit reporting agencies as to whether the child has any consumer credit history.

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

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

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

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

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

(e) No later than February 1, 2016, the State Department of Social Services shall provide information to the Assembly Committee on Budget, the Senate Budget and Fiscal Review Committee, and the appropriate legislative policy committees regarding the implementation of this section, including, but not limited to, any state and county barriers to obtaining credit

reports as required by the federal Child and Family Services Improvement and Innovation Act of 2011.

O