

AMENDED IN SENATE APRIL 7, 2014

**SENATE BILL**

**No. 1252**

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**Introduced by Senator Torres**

February 20, 2014

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An act to amend Section ~~H403~~ 11403.2 of the Welfare and Institutions Code, relating to public social services.

LEGISLATIVE COUNSEL'S DIGEST

SB 1252, as amended, Torres. Public social services: ~~nonminor dependents~~; *former foster youth: transitional housing.*

*Existing law makes transitional housing available to any former foster youth who is at least 18 years of age and not more than 24 years of age who has exited from the foster care system and has elected to participate in the Transitional Housing Program-Plus, as defined, if he or she has not received services pursuant to these provisions for more than 24 months.*

*This bill would extend transitional housing pursuant to the above provisions to a former foster youth who is not more than 25 years of age, and for a total of 36 cumulative months, if the former foster youth is completing secondary education or is enrolled in an institution that provides postsecondary or vocational education.*

~~Existing law provides aid and services to children placed in out-of-home care through various social service programs, including California Work Opportunity and Responsibility to Kids (CalWORKs), Aid to Families with Dependent Children-Foster Care (AFDC-FC), Kinship Guardianship Assistance Payment Program (Kin-Gap), and the Adoption Assistance Program. Under existing law, a nonminor dependent, defined to include a person between 18 and 21 years of age and still within the jurisdiction of the juvenile court, continues to be~~

eligible for those social service programs until 21 years of age if he or she is otherwise eligible for that program and one or more other specified conditions are met, including, that the nonminor is employed for at least 80 hours per month or enrolled in an institution that provides postsecondary or vocational education.

~~This bill would extend these foster care benefits to youth up to 25 years of age if they meet the above requirements. By requiring the extension of these services provided by the counties, this bill would impose 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: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: ~~yes~~-no.

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

1     SECTION 1. Section 11403.2 of the Welfare and Institutions  
2     Code is amended to read:

3     11403.2. (a) The following persons shall be eligible for  
4     transitional housing provided pursuant to Article 4 (commencing  
5     with Section 16522) of Chapter 5 of Part 4:

6     (1) Any foster child at least 16 years of age and not more than  
7     18 years of age, and, on or after January 1, 2012, any nonminor  
8     dependent, as defined in subdivision (v) of Section 11400, who is  
9     eligible for AFDC-FC benefits as described in Section 11401. A  
10    foster child under 18 years of age shall be eligible for placement  
11    in the program certified as a “Transitional Housing Placement  
12    Program,” pursuant to paragraph (1) of subdivision (a) of Section  
13    ~~16522.2~~ 16522.1. A nonminor dependent shall be eligible for  
14    placement in the program certified as a “Transitional Housing  
15    Placement-Plus Foster Care Program” pursuant to paragraph (2)  
16    of subdivision (a) of Section ~~16522.2~~ 16522.1.

17    (2) (A) Any former foster youth at least 18 years of age and,  
18    *except as provided in subparagraph (B)*, not more than 24 years  
19    of age who has exited from the foster care system on or after his

1 or her 18th birthday and elects to participate in Transitional  
2 Housing Program-Plus, as defined in subdivision (s) of Section  
3 11400, ~~provided if~~ he or she has not received services under this  
4 paragraph for more than a total of 24 months, whether or not  
5 consecutive. If the person participating in a Transitional Housing  
6 Program-Plus is not receiving aid under Section 11403.1, he or  
7 she, as a condition of participation, shall enter into, and execute  
8 the provisions of, a transitional independent living plan that shall  
9 be mutually agreed upon, and annually reviewed, by the former  
10 foster youth and the applicable county welfare or probation  
11 department or independent living program coordinator. The person  
12 participating under this paragraph shall inform the county of any  
13 changes to conditions specified in the agreed-upon plan that affect  
14 eligibility, including changes in address, living circumstances, and  
15 the educational or training program.

16 *(B) Services provided under subparagraph (A) may be extended*  
17 *to a former foster youth not more than 25 years of age, and for a*  
18 *total of 36 months, whether or not consecutive, if the former foster*  
19 *youth, in addition to the requirements specified in subparagraph*  
20 *(A), meets either of the following criteria:*

21 *(i) The former foster youth is completing secondary education*  
22 *or a program leading to an equivalent credential.*

23 *(ii) The former foster youth is enrolled in an institution that*  
24 *provides postsecondary vocational education.*

25 (b) Payment on behalf of an eligible person receiving transitional  
26 housing services pursuant to paragraph (1) of subdivision (a) shall  
27 be made to the transitional housing placement provider pursuant  
28 to the conditions and limitations set forth in Section 11403.3.  
29 Notwithstanding Section 11403.3, the department, in consultation  
30 with concerned stakeholders, including, but not limited to,  
31 representatives of the Legislature, the County Welfare Directors  
32 Association, the Chief Probation Officers of California, the Judicial  
33 Council, representatives of Indian tribes, the California Youth  
34 Connection, former foster youth, child advocacy organizations,  
35 labor organizations, juvenile justice advocacy organizations, foster  
36 caregiver organizations, researchers, and transitional housing  
37 placement providers, shall convene a workgroup to establish a new  
38 rate structure for the Title IV-E funded THP-Plus-Foster Care  
39 placement option for nonminor dependents. The workgroup shall  
40 also consider application of this new rate structure to the

1 Transitional Housing Program-Plus, as described in paragraph (2)  
2 of subdivision (a) of Section 11403.3. In developing the new rate  
3 structure pursuant to this subdivision, the department shall consider  
4 the average rates in effect and being paid by counties to current  
5 transitional housing placement providers.

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**All matter omitted in this version of the bill  
appears in the bill as introduced in the  
Senate, February 20, 2014. (JR11)**