GOVERNOR'S VETO
AB 1049 (Celeste Rodriguez)
As Enrolled September 1, 2026
2/3 vote

SUMMARY

Exempts the California Food Assistance Program (CFAP) from the federal Supplemental Nutrition Assistance Program (SNAP) sponsor-deeming rules and exemptions so that a sponsor's income and resources are no longer attributed to a sponsored immigrant applicant or recipient.

Senate Amendments

1) Delayed operations of this bill's provisions until January 1, 2028, or the date the California Department of Social Services (CDSS) notifies the Legislature that the California Statewide Automated Welfare System (CalSAWS) can perform the necessary automation, whichever is later.

2) Preserved existing law in the interim, including the three-year sponsor-deeming period for immigrants with affidavits of support and the exemption from deeming for immigrants who are victims of abuse by a sponsor or sponsor's spouse.

3) Narrowed the scope of the exemption from all federal SNAP-deeming rules and exemptions to the federal sponsor-deeming rules and sponsored noncitizen exemptions, as specified in federal regulations. Allow all other federal SNAP rules to continue to govern CFAP as specified.

4) Added a co-author.

Governor's Veto Message
This bill exempts the California Food Assistance Program (CFAP) from federal sponsor-deeming rules and exemptions so that a sponsor's income and resources are no longer attributed to a sponsored immigrant applicant.
I applaud the author's commitment to removing barriers for individuals seeking access to food assistance. Unfortunately, the changes proposed by this bill would create a significant inconsistency between the federally funded CalFresh program and the state-funded CFAP program. Both programs utilize the same application and follow the same sponsor deeming requirements. I am reluctant to fundamentally alter rules that could lead to apparent discrepancies that could be weaponized by the current federal administration. We have already witnessed their limitless cruelty in denying millions of American families food assistance with little to no regard.

There are existing exemptions to sponsor deeming that are aligned with the intent of the bill. I am directing the Department of Social Services to continue to work with counties and trusted community messengers to support awareness of these exemptions, alongside other efforts to connect Californians to food benefits.

COMMENTS

Background: CalFresh. The CalFresh program is California's version of the federal SNAP, which provides monthly food assistance to qualifying low-income households. CalFresh benefits are federally funded, and the federal government establishes income eligibility standards and benefit levels. Costs to administer the program are shared among the federal government, the state and counties. On average, an individual receives between $20 and $250 per month. Families receive more depending on income and household size. Under federal law, CalFresh benefits are available to U.S. citizens and, under narrow circumstances, lawfully present non-U.S. citizens. As of June 2026, over 5.1 million individuals were receiving CalFresh.

California Food Assistance Program. Prior to the passage of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996, most noncitizens lawfully residing in the U.S. were eligible for SNAP benefits on the same basis as citizens. With the enactment of PRWORA, lawfully present non-citizens (legal permanent residents (LPRs); green card holders) lost eligibility even if they had been in the country when the law was passed. The 2022 Farm Bill broadly restored SNAP eligibility to most lawfully present noncitizens, including individuals who resided in the U.S. for five years, children under 18 years of age, and individuals receiving disability-related assistance or benefits.

Despite this expansion, not all noncitizens were able to get access. States were granted the option to offer state-funded food assistance to these populations, resulting in the establishment of CFAP, which uses the same electronic benefits transfer (EBT) system and CalSAWS as CalFresh to distribute benefits. Through the EBT system, the federal government directly deposits funds into the accounts of participating households, with the state later reimbursing the federal government for these expenditures.

According to CDSS, examples of individuals eligible for CFAP include noncitizens who are LPRs who have not met the five-year U.S. residency requirements or 40 qualifying work quarters criteria; parolees; conditional entrants; or, battered or abused. Currently, certain noncitizens, such as undocumented individuals, are ineligible for CFAP based on their immigration status. However, under the 2024 Budget Act, the state planned to expand CFAP eligibility to include all adults 55 years of age and older, regardless of immigration status, starting in 2027. This expansion was delayed from its original timeline as part of budget negotiations.

CFAP benefits are equivalent to those provided by CalFresh and vary based on factors such as household size, income, and deductible expenses. In the 2024-25 fiscal year, CFAP benefits totaled approximately $130 million from the General Fund for 28,900 households, with an estimated average monthly benefit of $372 per household.

Sponsor-Deeming Rules. Federal sponsor-deeming rules are provisions established under the PRWORA of 1996, which require that an immigrant's eligibility for federal means-tested benefits, such as SNAP, be determined by including the income and resources of their sponsor. The purpose of these deeming rules is to ensure that sponsors who have committed to financially supporting a noncitizen, through an affidavit of support, uphold their obligations. An affidavit of support is a contract signed by the sponsor to demonstrate that the applicant of the green card will not become a public charge, dependent on government resources. The application of federal deeming rules to state-level programs like CFAP has historically been intended to maintain consistency with federal standards.

Sponsor-deeming rules do not apply to several groups of immigrants, including immigrants who are not required to have sponsors; immigrants without Form I-864; immigrant children under 18 years of age; immigrants living with their sponsor; victims of abuse; and, indigence exception. In the federal SNAP program, sponsor-deeming ends when the sponsored LPR becomes a U.S. citizen; completes 40 work quarters; leaves the U.S.; meets an exception; or, or if either the sponsor or immigrant dies.

Sponsors' income and resources are "deemed" or attributed to the noncitizen, thereby limiting eligibility for public benefits based on the sponsor's financial capacity rather than the noncitizen's own resources. Only certain portions of a sponsor's income and resources are deemed, with deductions applied for earned income, federal poverty level allowances for the sponsor's family, and pro-rata adjustments when a sponsor supports multiple immigrants. The applicant is responsible for obtaining the income and resources from the sponsor by asking for these details and submitting required verification such as tax forms. Benefits cannot be approved until this information is provided, even if the sponsor is uncooperative or their whereabouts are unknown. To bypass this requirement, an immigrant must qualify for an exemption. However, if a noncitizen changes sponsors during the certification period, then deemed income and resources are required to be recalculated based on the required information of the new sponsor.

Burdens of Sponsor-Deeming Rules. Proponents may argue that it ensures accountability by holding sponsors financially responsible if there is an over-issuance of benefits, much like a co-signer on a loan who is liable for repayment if the primary borrower cannot pay. However, it is important to note that there is no comparable mechanism for U.S. citizens applying for benefits. Sponsor-deeming rules create barriers for immigrants who are economically vulnerable, particularly when sponsors are unwilling or unable to provide the promised support. Sponsor-deeming assumes that sponsors are both financially capable and willing to fulfill their obligations, which is not always the case. It also creates a parallel system where immigrants are assessed not only based on their own financial circumstances, but also the income and resources of their sponsors, even if the sponsors are not contributing any actual support. This extra layer of scrutiny applies exclusively to noncitizens and reflects a fundamental difference in how eligibility is determined for immigrants versus citizens.

Reporting requirements under the indigence exception require counties to report the names of sponsor's immigrants and their sponsors to the U.S. Attorney General, discouraging eligible individuals from seeking assistance out of fear of jeopardizing their legal status or their sponsor's legal status. A November 2023 report published by the Urban Institute found that an estimated one in six immigrant families with children avoided government benefits in the last year because of green card concerns. Delayed benefits due to these logistical hurdles can leave vulnerable immigrants without essential food assistance.

Additionally, not only does misinformation and confusion around the sponsor-deeming requirement deter immigrants and their sponsors from seeking critical food benefits, but many immigrants may not be aware of available exemptions, leading to incomplete or incorrect applications or wrongful denial of food benefits. On a county-level, inconsistent application of deeming rules across counties can also result in unequal access to benefits, undermining the purpose of CFAP. Overall, access to CFAP is heavily reliant on sponsor cooperation.

According to the Author
"We must commit to making sure we streamline the processes to ensure families are able to access the resources they need, especially when it comes to food assistance. Currently, many eligible low-income immigrant families in California fear accessing public programs in our state because of concerns with the status of their green cards. [This bill] seeks to make a change to the California Food Assistance Program. Currently, the income and resources of an immigrant's sponsor are used when determining eligibility, even if the sponsor is not actively able to provide financial support to the sponsored immigrant. [This bill] would remove that requirement and allow eligible low-income immigrant families to gain access to food assistance without feeling stigmatized or fearful of accessing essential food assistance. [This bill] is a step forward in improving food security and overall well-being on our communities."

Arguments in Support
According to the California Immigrant Policy Center and Nourish California, "Sponsor deeming is a complex and discriminatory rule that adds a portion of the income and resources of an immigrant's sponsor when determining eligibility for food benefits. Because of its complexity, this rule can cause confusion about eligibility during the enrollment process and lead to low-income immigrant families being wrongfully denied benefits that they are eligible for. Because CFAP is a state-funded program, California's leaders have the power to remove this burdensome and inequitable rule, simplifying enrollment for the families who need it most. By passing [this bill], we can strengthen California's food safety net, reduce the chilling effect, and build a simpler pathway for struggling families to find much-needed support, especially in times of economic hardship."

Arguments in Opposition
None on file.

FISCAL COMMENTS

According to the Senate Appropriations Committee, "Unknown General Fund costs for increased CFAP caseloads due to more individuals becoming eligible for the program. The California Department of Social Services (CDSS) estimates a one-time General Fund cost of approximately $103,500 for automation. Unknown potential costs to counties for administration. Costs would be potentially reimbursable by the state, subject to a determination by the Commission on State Mandates."

VOTES

ASM HUMAN SERVICES: 5-1-0
YES: Lee, Calderon, Elhawary, Jackson, Celeste Rodriguez
NO: Castillo

ASM APPROPRIATIONS: 11-3-1
YES: Wicks, Stefani, Calderon, Caloza, Fong, Mark González, Krell, Bauer-Kahan, Pacheco, Pellerin, Solache
NO: Hoover, Dixon, Tangipa
ABS, ABST OR NV: Ta

ASSEMBLY FLOOR: 54-15-11
YES: Addis, Aguiar-Curry, Ahrens, Alvarez, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Connolly, Elhawary, Fong, Gabriel, Garcia, Mark González, Haney, Harabedian, Hart, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Michelle Rodriguez, Rogers, Blanca Rubio, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ward, Wicks, Wilson, Zbur, Rivas
NO: Alanis, Castillo, Chen, DeMaio, Dixon, Ellis, Gallagher, Jeff Gonzalez, Hadwick, Johnson, Lackey, Macedo, Patterson, Sanchez, Tangipa
ABS, ABST OR NV: Arambula, Davies, Flora, Gipson, Hoover, Ransom, Celeste Rodriguez, Schiavo, Ta, Valencia, Wallis

SENATE FLOOR: 30-10-0
YES: Allen, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Cortese, Durazo, Gonzalez, Grayson, Hurtado, Laird, Limón, McGuire, McNerney, Menjivar, Padilla, Pérez, Reyes, Richardson, Rubio, Smallwood-Cuevas, Stern, Umberg, Wahab, Weber Pierson, Wiener
NO: Alvarado-Gil, Choi, Dahle, Grove, Jones, Niello, Ochoa Bogh, Seyarto, Strickland, Valladares

ASSEMBLY FLOOR: 59-15-5
YES: Addis, Aguiar-Curry, Ahrens, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Connolly, Elhawary, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Valencia, Ward, Wicks, Wilson, Zbur, Rivas
NO: Alanis, Castillo, Chen, DeMaio, Dixon, Ellis, Flora, Jeff Gonzalez, Hadwick, Johnson, Lackey, Macedo, Patterson, Sanchez, Tangipa
ABS, ABST OR NV: Davies, Hoover, McKinnor, Ta, Wallis

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VERSION: September 1, 2026

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