Date of Hearing: January 22, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS
Buffy Wicks, Chair
AB 1080 (Bryan) – As Amended April 22, 2025

Policy Committee:	Human Services	Vote:	7 - 0

Urgency: No   State Mandated Local Program: Yes   Reimbursable: No

SUMMARY:

This bill prohibits a county serving as the representative payee for a foster youth receiving federal Social Security Administration (SSA) benefits from using those funds to offset the cost of foster care placement and expands the types of maintenance accounts the county may establish on behalf of the youth to conserve benefits.

Specifically, this bill:

1) Expands the requirement that a county, in its capacity as representative payee, must use Supplemental Security Income/State Supplementary Payment (SSI/SSP) benefits for the purposes determined by the county to be in the child's or nonminor dependent's (NMD) best interest, to also require input from the youth's Child and Family Team.

2) Expands the requirement that a county ensure federal survivors' benefits are not used to pay for, or to reimburse the placing agency for, any costs of the foster youth's care and supervision, to include all federal SSA benefits.

3) Expands the list of accounts a county acting as a representative payee may establish and maintain on behalf of a foster youth to conserve their benefits in a way that avoids termination of those benefits as a result of exceeding the federal asset, resource, or income limits, to include a Plan to Achieve Self-Support account, a 529A plan, among others.

4) Requires a county placing agency to also provide information and documentation, upon request, to the child, the child's attorney, and the child's parents or guardians regarding whether the child is currently receiving, entitled to receive, or has established eligibility for, any federal SSA benefits.

5) Requires a county placing agency to file a request for reconsideration for a foster youth for whom eligibility for federal SSA benefits has been terminated.

6) Expands provisions related to NMDs receiving SSI and the associated requirements for counties to also apply to minor foster youth.

FISCAL EFFECT:

The California Department of Social Services (CDSS) estimates total General Fund costs ranging from $11.6 million to multiple tens of millions of dollars annually to reimburse counties for the loss of SSI benefit payments and for administrative and automation costs of expanding current survivor benefit protections and services to all foster youth who are federal SSA beneficiaries, including those receiving SSI.

Specifically:

1) Estimated ongoing General Fund (GF) costs of approximately $9.2 million annually to offset the loss of SSA/SSI benefit reimbursement to counties, and approximately $700,000 annually for increased county social worker duties, including applying for reconsideration when SSA benefits are terminated, maintaining specified dedicated accounts for recipients, providing an accounting of resources upon request, and documenting and providing information on whether the child is currently receiving, entitled to receive, or has established eligibility for SSA benefits.

   Although these county costs are mandated by the state, they are not reimbursable but instead must be paid by the state pursuant to Proposition 30 of 2012. Proposition 30 requires legislation enacted after September 30, 2012, that has an overall effect of increasing the costs already borne by a local agency for programs or levels of service mandated by realignment (including child welfare services and foster care) applies to local agencies only to the extent the state provides annual funding for the cost increase.

2) One-time costs of $1.6 million (GF) in fiscal year 2027-28 for automation updates to the Child Welfare Services California Automated Response and Engagement System (CWS-CARES), and for an intergovernmental MOU with tribal governments to establish tribal participation.

COMMENTS:

1) **Purpose.** According to the author:

> Federal law explicitly places the financial responsibility of care on foster care agencies, but for decades agencies have used survivors' benefits and disability benefits to reimburse themselves. California stopped this practice for survivors' benefits, but agencies can continue to use a child's disability benefits as a way to backfill their costs. [This bill] will end this practice completely and ensure that all federal SSA benefits are used in the best interest of a foster youth or conserved for the youth to access once they have exited the system.

2) **Background.** Under existing federal and state laws, foster youth may be eligible for federal benefits under the SSA, including SSI benefits, survivor benefits, and disability benefits. County placing agencies in California are required to screen and apply for SSI benefits on behalf of eligible youth in their care who are over the age of 16.

   Typically, foster youth under 18 years of age who receive federal SSA benefits do not receive their benefits check directly. Instead, a "representative payee," a relative, adult friend, or the county, receives the check. Existing law suggests the county should be the payee of last resort - applying only when no other appropriate party is available to serve.

The representative payee must use the benefit money to pay for basic needs, such as medical care, housing, clothing, food and personal comfort items, for the youth. If SSA payments are not needed for such items, the payee must deposit the money into a "maintenance account" which can be accessed by the youth when they reach 18 years of age. Per federal rules, a maintenance account cannot exceed $2,000. Counties work with the youth and caregiver to spend down the funds in the maintenance account to meet youth’s basic needs pursuant to state and federal requirements.

AB 1512 (Bryan), of the 2023-24 Legislative Session, was similar to this bill, but was vetoed by the Governor, who was concerned that the costs were not contemplated as part of the budget process. In response, the author introduced a narrowed bill, AB 2906 (Bryan), Chapter 623, Statutes of 2024, requiring a county serving as the representative payee for a foster youth to ensure only federal SSA survivors' benefits are not used to pay for, or to reimburse the county for, any costs of the child's care and supervision.

This bill, like AB 1512, requires a county to ensure no federal SSA benefits are used to pay for, or to reimburse the placing agency for, any costs of the foster youth’s care and supervision.

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