
SENATE COMMITTEE ON APPROPRIATIONS

Senator Sabrina Cervantes, Chair
2025 - 2026 Regular Session

AB 1080 (Bryan) - Foster care payments

Version: January 22, 2026

Urgency: No

Hearing Date: June 15, 2026

Policy Vote: HUMAN S. 5 - 0

Mandate: Yes

Consultant: Agnes Lee

Bill Summary: AB 1080 would impose requirements on counties regarding federal social security benefits for foster youth.

Fiscal Impact:

- The California Department of Social Services estimates the following:
 - Ongoing costs, approximately high hundreds of thousands, for county administration (General Fund and federal funds).
 - One-time General Fund costs of \$1.1 million for automation updates.
 - One-time General Fund costs of \$500,000 for intergovernmental MOUs with tribal governments to establish tribal participation and to clarify their roles and responsibilities.
- Unknown ongoing General Fund costs to offset the loss of reimbursements to counties to pay for the costs of foster care placements.
- To the extent the bill increases county costs already borne by a local agency for programs or levels of service mandated by the 2011 Realignment, the bill would apply to local agencies only to the extent that the state provides annual funding for the cost increases.

Background: Foster youth may be eligible for different types of federal Social Security Administration (SSA) benefits, such as survivor benefits and Supplemental Security Income (SSI) benefits. SSI benefits are available to qualified low-income blind or disabled children. State law requires counties to screen foster youth over the age of 16 for potential eligibility for federal SSA benefits. Counties must also file a request for reconsideration with the federal SSA for foster youth whose applications for federal SSA benefits are denied.

Current law requires the county to apply to be the appointed representative payee for SSA benefits on behalf of a child beneficiary in its custody when no other appropriate party is available to serve. Counties serving as representative payees must follow certain practices, including the creation of no-cost, interest bearing maintenance accounts for each child. Moneys from the accounts must be used by the county for: 1) the use and benefit of the child or nonminor dependent, and 2) purposes determined by the county to be in the child's or nonminor's best interests. Current law also requires

that when the county serves as the representative payee for SSA survivor benefits, the county cannot use the child's survivor benefits to pay for, or to reimburse for, any costs of the child's care and supervision.

State law requires that when a nonminor dependent has been approved for SSI payments, but is receiving a federally-funded foster care benefit in an amount that exceeds the SSI payment (causing the SSI payment to be placed in suspense) the county must, during at least 1 month of every 12-month period, forego the federally-funded foster care benefit and instead use nonfederal foster care resources to supplement the SSI benefit that the youth receives during that month.

Proposed Law: Specific provisions of the bill would:

- Require counties serving as representative payees to include input from the child's or nonminor dependent's child and family team when determining whether use of SSA funds is in the child's or nonminor's best interests.
- Prohibit counties serving as representative payees from using specified SSA benefits (not just SSA survivor benefits) to pay for, or to reimburse for, any costs of the child's care and supervision.
- Require counties to 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.
- Require counties to file a request for reconsideration with the federal SSA for foster youth for whom eligibility for federal SSA benefits has been terminated.
- Expand the existing requirement that counties forego foster care benefits for SSI benefits during at least 1 month of every 12-month period, to apply to all foster youth (not just nonminor dependents) eligible for SSI benefits.

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