

CONCURRENCE IN SENATE AMENDMENTS

AB 1314 (Ahrens)

As Amended August 29, 2025

Majority vote

SUMMARY

Specifies county contract requirements with a transitional housing placement provider (THP), including prohibiting the contract from containing terms that create unreasonable barriers for a foster youth's admission into the THP program. Requires contracts to ensure that decisions about sharing bedrooms, bathroom, and units together, regardless of gender identity, are led by the program participant and agreed upon in collaboration with the provider.

Senate Amendments

- 1) Strike provision requiring all counties and program contracts to follow, and not have requirements that are more stringent than, the requirements in state statute and regulations.
- 2) Clarify that counties and program contracts are required to ensure decisions about sharing bedrooms, bathrooms, and units together, regardless of gender identity, are led by the program participant and agreed upon on collaboration with the provider.
- 3) Require, if a county contracts with a THP provider, the contract to not create unreasonable barriers for a qualified foster youth's admission into or participation in the program.
- 4) Require the contract to be developed to provide maximum flexibility to meet the needs of the minor dependents and nonminor dependents (NMDs) served by the programs in the specific county contracting with the provider.
- 5) Require the contract to be developed with the understanding that, unless modified by a court order, an NMD has the same legal decision-making authority as an adult
- 6) Specifies that California Department of Social Services (CDSS) is not required to review the contract and does not require a county to enter into a contract with a THP provider.

COMMENTS

Background: Child Welfare Services (CWS) System. The goal of California's CWS system is ultimately to protect children from abuse and neglect, and provide for their health, safety, and overall well-being. When a child is identified as being at risk of abuse or neglect, county juvenile courts hold legal jurisdiction and the CWS system appoints a social worker in order to ensure the needs of the child are met. Through the CWS system, multiple opportunities arise for the judicial system to evaluate, review, and determine the custody of the child, or determine the best out-of-home placement for the youth. Together, the judicial system and the child's social worker ensure that the best possible services are provided to the child. The CWS system, when appropriate, also works to reunite children who have been removed from the custody of their parents or guardians with individuals they consider to be family in order to maintain familial bonds wherever possible. As of January 1, 2025, there are 38,894 youth up to 20 years of age placed in California's child welfare system.

Extended Foster Care. In 2010, AB 12 (Beall), Chapter 559, Statutes of 2010, extended foster care benefits for certain eligible youth until 21 years of age. Prior to the expansion of foster care benefits, youth "aged out" of the CWS system at 18 years of age and were required to navigate the challenges of young adulthood, including obtaining education, stable housing, and employment, without the support of the CWS system. In recognition of the difficulties faced by these youth, extended foster care provides eligible youth between 18 and 21 years of age, known as nonminor dependents or NMDs, with the services and supports they need to experience independent living in supervised living environments. Extended foster care also enables youth to obtain educational and employment training to better prepare them to transition to adulthood and self-sufficiency

Current Requirements for THP Providers. CDSS is required to adopt regulations to govern THP providers they license. The regulations are required to be age appropriate and recognize that NMDs who are about to exit from the foster care system should be subject to fewer restrictions than those who are foster children. At a minimum, the regulations are required provide for all of the following:

- 1) Require programs that serve both minor foster children and NMDs to have separate rules and program design, as appropriate, for these two groups of youth;
- 2) Allow NMDs to have the greatest amount of freedom possible in order to prepare them for their transition to adulthood, in accordance with the requirement for regulations to recognize the status of NMDs as legal adults;
- 3) Maintain a program staffing ratio of case manager-to-participant for minor foster children not to exceed one to 12, inclusive;
- 4) Maintain a program staffing ratio for NMDs of case manager-to-participant not to exceed a shared average caseload of one to 12, inclusive, with a designated lead case manager assigned to each youth;
- 5) Allow an NMD participant to share a bedroom or unit in a transitional housing program with any of the following persons:
 - a) Another participant, including a participant sibling or co-parent, as approved by the provider;
 - b) A participant in THP-Plus, as approved by the provider;
 - c) A nonparticipant roommate, sibling, or co-parent, as approved by the provider on a case-by-case basis, as specified by CDSS. Requires a provider to give priority to program participants and for the provider to allow a current program participant residing within a unit to reject inclusion of a nonparticipant into their existing unit.
 - d) The participant's children; or,
 - e) Any other person, as specified by CDSS;
- 6) Allow a minor participant to share a bedroom or unit in a transitional housing placement with any of the following persons:

- a) Another participant, including a participant sibling or co-parent, as approved by the provider;
 - b) A participant in THP-Plus, as approved by the provider;
 - c) The participant's children;
 - d) A nonparticipant roommate, sibling, or co-parent, as approved by the provider on a case-by-case basis, as specified by CDSS. Requires a provider to give priority to program participants and to allow a current program participant residing within a unit to reject inclusion of a nonparticipant into their existing unit; or,
 - e) Any other person, as specified by CDSS;
- 7) Requires any adult who is not a participant, including participants in THP-Plus, and who resides with a participant, to obtain a criminal record clearance or exemption;
- 8) Requires all counties and program contracts to allow individual program participants and specified individuals as described above, to share bedrooms, bathrooms, and units together, regardless of gender identity; and,
- 9) Requires county program contracts to allow providers and participants to make best matches to allow for gender flexibility.

Current regulations, updated as of July 1, 2024, outline general requirements that govern the THP program, delineate when a license is required, application procedures, administrative actions, enforcement provisions, continuing requirements, and the physical environment.

This bill would require a county contract with a THP provider to not create unreasonable barriers for a qualified foster youth's admission into, or participation in, the program.

Currently, 19 counties collaborate with THP providers, adhering to CDSS licensing requirements. However, advocates report that some counties impose restrictive contracts that limit housing opportunities for vulnerable youth. They report some contracts can demand that each individual have their room or restrict the sharing of bathrooms, which complicates the situation for young people who may need more flexible living arrangements. In contrast, state licensing allows up to two individuals to share a room and efficiently serves transition-age youth. Further, county contracts can hinder youth transfer across county lines, even if slots are available, limiting access to necessary resources. State licensing regulations allow youth to be served within two hours of a provider's office, allowing more flexibility to seek out vacancies, move closer to family, school, or employment opportunities.

Additionally, advocates report that some contracts require unnecessary social worker inspections of housing units, delaying youth access to housing for weeks and incurring extra costs for providers. At times there are losses of an entire month's rent waiting for a unit to be approved where a youth could make a determination on their own along with the provider whether a unit meets their needs.

Youth Homelessness. In December of 2024, the United States Department of Housing and Urban Development released its Annual Homeless Assessment Report to Congress, which found that,

9,052 people in California experienced homelessness on their own as an "unaccompanied youth." Unaccompanied youth are defined as people in households without children, who are not a part of a family with children, or accompanied by their parent or guardian during their episode of homelessness and are between 18 and 24 years of age. Additionally, 60% of the homeless youth in California were unsheltered, meaning they are in living situations that include couch surfing, staying in shelters, living under bridges, in abandoned buildings, and on the streets. Foster youth in California experience disproportionately higher rates of homelessness when compared to their non-foster youth peers, with 65% of emancipating youth reporting they lack safe and affordable housing at the time of emancipation.

Equity Implications: There are currently an estimated 9,871 young adults between 21 and 24 years of age in California who exited foster care at 18 years of age or older, and another 3,000 young adults exit foster care in California each year. Studies have shown that those exiting foster care face disproportionately higher rates of homelessness, with unaccompanied youth up to 24 years of age comprising 10% of California's homeless population. Researchers and advocates also cite lack of stable housing as a significant barrier to continuing education for current and former foster youth. Research shows that 31-46% of young people who have experienced foster care become homeless by 26 years of age, highlighting the urgent need to address the housing crisis and its long-term effects on this vulnerable population. Counties that require more restrictive requirements within their contracts tend to have more difficulty maintaining housing options due to the losses related to the additional limits or wait times for approval of units. Due to rapidly rising rental costs and the losses related to waiting on approvals, in some of these counties, available units are decreasing despite the growth in need for housing for this population. The provisions of *this bill* seek to ensure additional barriers to finding housing for foster youth are not created.

According to the Author

"In California, there are over 60,000 youths in foster care with most of them being children of color. Addressing the housing crisis and rise in homelessness among young people is imperative as losing secure housing at a young age increases the chance of remaining unhoused as an adult by five times."

Arguments in Support

Aspiranet states, "This bill will ensure that contracts allow THPP participants and the providers to make the best match for roommates, considering gender flexibility. Further, it will prohibit the inclusion of contract provisions that create barriers to youth participation in or admission into the program. This is important for programs serving nonminor dependents who have greater autonomy and ability to make their own decisions. As a provider operating in over thirty counties, the patchwork of county regulations often complicates program administration and makes it difficult for staff to navigate varying requirements. [This bill] will ensure greater consistency in the THPPs and will ensure youth have the same rights with respect to their housing regardless of which county they are in or may move to."

Arguments in Opposition

The Youth Law Center and the Children's Law Center of California write in opposition that this bill, "ties Transitional Housing Placement Program (THPP) contracting requirements to regulations that are still undergoing a rulemaking process, it restricts counties from holding THPP providers to standards beyond the regulatory minimums, and it has unknown costs which could be significant for counties to review and update an unknown number of contracts."

FISCAL COMMENTS

According to the Senate Appropriations Committee on August 29, 2025:

- 1) Unknown potential General Fund costs for the California Department of Social Services (CDSS) for state administration.
- 2) Unknown costs to counties for administration. 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.

VOTES:**ASM HUMAN SERVICES: 6-0-0**

YES: Lee, Castillo, Calderon, Elhawary, Jackson, Celeste Rodriguez

ASM APPROPRIATIONS: 14-0-1

YES: Wicks, Arambula, Calderon, Caloza, Dixon, Elhawary, Fong, Mark González, Hart, Pacheco, Pellerin, Solache, Ta, Tangipa

ABS, ABST OR NV: Sanchez

ASSEMBLY FLOOR: 78-1-0

YES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NO: DeMaio

SENATE FLOOR: 32-0-8

YES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Durazo, Gonzalez, Grayson, Grove, Hurtado, Laird, Limón, McGuire, McNerney, Menjivar, Padilla, Pérez, Richardson, Rubio, Smallwood-Cuevas, Stern, Umberg, Wahab, Weber Pierson, Wiener

ABS, ABST OR NV: Dahle, Jones, Niello, Ochoa Bogh, Reyes, Seyarto, Strickland, Valladares

UPDATED

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