

Date of Hearing: May 13, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS
 Buffy Wicks, Chair
 AB 1628 (Michelle Rodriguez) – As Amended March 19, 2026

Policy Committee:	Public Safety	Vote: 8 - 0
	Human Services	7 - 0

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

SUMMARY:

This bill extends the age eligibility for infant safe surrender from 72 hours to 30 days of age.

FISCAL EFFECT:

- 1) One-time unknown costs of an unknown but potentially minor amount (General Fund) to the California Departments of Social Services (CDSS) for updates to the statewide logo, public outreach and educational materials, training materials for safe-surrender site personnel, and modifications to the Office of Child Abuse Prevention’s existing surrender-tracking and reporting infrastructure.
- 2) Reimbursable mandate costs (General Fund), of an unknown but likely minor amount, to local agencies for the one-time replacement of statewide logo signage at hospitals, fire stations, and other designated safe-surrender sites to reflect the 30-day eligibility window. The bill expressly provides that, if the Commission on State Mandates determines the act contains costs mandated by the state, reimbursement shall be made pursuant to existing statutory provisions.
- 3) Reimbursable mandate costs (Proposition 98 General Fund), of an unknown but likely minor amount, to school districts for the one-time update of comprehensive sexual health and HIV prevention education curriculum and instructional materials to reflect the 30-day eligibility window.
- 4) Costs of an unknown but likely moderate amount to county child welfare services agencies for any incremental increase in safe-surrender intake, dependency petitions, and CDSS notifications resulting from the extended eligibility window. CDSS reports approximately 1,542 infants have been safely surrendered statewide since the program’s enactment in 2001. Cost magnitude depends on the extent to which the extended window increases the volume of surrenders.
- 5) Costs of an unknown but likely minor amount for workload costs to trial courts (Trial Court Trust Fund, General Fund) for any incremental dependency petitions filed in connection with surrendered children.

The Legislative Analyst’s Office recently warned of General Fund structural deficits of around \$35 billion per year in the 2027-28 fiscal year and ongoing.

COMMENTS:

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

The postpartum period is one of the most vulnerable times in a person's life both physically and emotionally. In the days after childbirth, many mothers are recovering from trauma, experiencing severe hormonal changes, and, in some cases, facing postpartum depression, anxiety, or isolation. Expecting a life-altering decision within just 72 hours does not reflect this modern reality.

AB 1628 extends the safe surrender window to 30 days, giving mothers the time they need to stabilize, seek support, and make a safe decision for their child. This bill is about recognizing the realities of postpartum depression and ensuring that no mother in crisis feels rushed into a moment of fear that could lead to tragedy. It is a compassionate, life-saving policy update that protects both mothers and their children.

2) **Background.** California's Safely Surrendered Baby Law was enacted in 2001 in response to a pattern of newborn deaths resulting from unsafe abandonment. Under existing law, a parent or other individual having lawful custody of a minor child 72 hours old or younger may voluntarily surrender physical custody of the child at a designated safe-surrender site — typically a hospital emergency room or staffed fire station — without fear of prosecution for child abandonment. Site personnel place a coded ankle bracelet on the child, provide a duplicate to the surrendering individual, offer a voluntary medical questionnaire, ensure that medical care is provided, and notify county child welfare services within 48 hours. The county agency assumes temporary custody, files a dependency petition, and notifies CDSS, with the surrendering parent retaining a 14-day window to reclaim the child.

According to CDSS, 1,542 infants have been safely surrendered statewide between January 1, 2001 and December 31, 2024. Annual safe surrender volume has grown over time, from fewer than 20 per year in the program's first two years to between 70 and 118 per year over the past decade, including 118 in 2024. Over the same period, the number of unsafely abandoned infants has declined substantially, from a high of 26 in 2006 to between two and six per year in recent years. As the policy committee analyses note, the existing 72-hour limit functions as an approximate rather than precise threshold: site personnel are not neonatal specialists, and the existing good-faith immunity provision recognizes that age verification is often based on observable physical indicators rather than a definitive determination. A 30-day window is more readily verifiable than a 72-hour window, as a one-month-old infant is visually and medically distinguishable from a newborn in ways that a two- or three-day-old infant generally is not.

3) **Prior Legislation.** AB 2262 (Torrico), of the 2007-08 Legislative Session, would have expanded the Safe-Surrender law to allow the birth parent or individual who has lawful custody of a child seven-days old or younger to surrender a child to a safe-surrender site as designated. AB 2262 was vetoed by the Governor Schwarzenegger citing safety concerns.

AB 1873 (Torrico), of the 2005-06 Legislative Session, would have extended, from 72 hours or younger to up to thirty days old, the age at which a parent or other person with lawful custody of a child may surrender that child at a safe-surrender site, and would have expanded

the definition of a safe surrender site to include a local fire agency. AB 1873 was vetoed by Governor Schwarzenegger citing safety concerns.

Analysis Prepared by: Shiran Zohar / APPR. / (916) 319-2081