

Date of Hearing: March 10, 2026

ASSEMBLY COMMITTEE ON JUDICIARY
Ash Kalra, Chair
AB 1643 (Nguyen) – As Introduced January 27, 2026

PROPOSED CONSENT

SUBJECT: CHILD SUPPORT

KEY ISSUE: SHOULD CHILD SUPPORT ORDERS BE AUTOMATICALLY ENROLLED IN THE STATE'S CHILD SUPPORT PROGRAM?

SYNOPSIS

Existing law provides two main avenues to collect on active child support orders. First, a parent may simply direct their ordered payment to the custodial parent. The second path is through enrollment in the custodial parent's local child support program. Local child support agencies (LCSAs) are authorized to engage in a number of actions in cases involving child support orders including collection and disbursement of child support payments. While nearly all cases involving a child that is receiving public welfare dollars are automatically enrolled in the program, most others are not. According to the proponents, California's high rates of child poverty can be attributed at least in part to incomplete child support payments. In an effort to encourage payment of as many child support orders as possible this bill proposes to require child support orders to be enrolled in the child support program by default. Importantly, the bill would allow the obligee to opt out of enrollment and continue with direct payments from the obligor.

This bill is sponsored by the Child Support Directors Association of California. It is additionally supported by Yolo and Sacramento counties, as well as the San Joaquin and Solano Counties Boards of Supervisors. There is currently no opposition on file. Should the bill be approved by this Committee, it will be referred to the Committee on Human Services.

SUMMARY: Requires a court to automatically enroll child support orders in the child support program and allows an obligee to opt out of participation. Specifically, **this bill:**

- 1) Requires a court to order that all child support payments be directed to the State Disbursement Unit.
- 2) Requires, notwithstanding any other law, every court order for payment of child support to be deemed to be an application for child support services authorized pursuant to Title IV-D of the federal Social Security Act and provided under Division 17.
- 3) Requires the court to transmit a copy of the child support order and the contact information of the support obligor and support obligee to the local child support agency of the county where the order was issued. Requires the contact information provided by the court to include, as is available to the court at the time the order was issued, the names, addresses, telephone numbers, and email addresses of the support obligor and support obligee.

- 4) Allows a support obligee to decline to receive child support services authorized pursuant to Title IV-D of the Social Security Act by submitting a voluntary case closure request to their local child support agency unless otherwise required to receive those services under state or federal law. Specifies that declining to receive child support services in this manner does not preclude the ability of the support obligee to make subsequent applications for child support services.
- 5) Authorizes the court to direct the local child support agency to appear on behalf of the minor children in any proceeding to enforce the order.

EXISTING LAW:

- 6) Establishes the Department of Child Support Services (DCSS) as the single statewide agency responsible for the administration and management of California's child support enforcement program. (Family Code Section 17202.)
- 7) Requires the State to operate a State Disbursement Unit as required by federal law. (Family Code Section 17309.)
- 8) Requires that each county maintain a local child support agency (LCSA), which has the responsibility for promptly and effectively establishing, modifying, and enforcing child support obligations, spousal support orders, and determining paternity, as provided. Requires that LCSAs take all appropriate action to establish, modify, and enforce child support and, if appropriate, enforce spousal support orders, if the child is receiving public assistance, and, if requested, to take the same actions on behalf of a child who is not receiving public assistance. (Family Code Section 17400.)
- 9) Authorizes a court after making a child support order to direct that the payments be made to the designated county officer or State Disbursement Unit. Further authorizes the court to direct the local child support agency to appear on behalf of the minor children in any proceeding to enforce the order. (Family Code Section 4201.)
- 10) Requires a State plan for child and spousal support to operate a State disbursement unit to, among other things, provide services relating to the establishment of paternity or the establishment, modification, or enforcement of child support obligations. (42 U.S.C. Section 654 (4)(A).)

FISCAL EFFECT: As currently in print this bill is keyed fiscal.

COMMENTS: Under existing law there are two main ways in which a custodial parent may collect child support. The first, most direct approach, is that the parent ordered to pay child support (the obligor) provide the monthly payments directly to the custodial parent (the obligee). The second path is through enrollment in the custodial parent's local child support program directed by the Department of Child Support Services. Under this option either parent can enroll in the program through the local child support agency (LCSA). LCSAs are authorized to engage in a number of actions in cases involving child support orders including collection and disbursement of child support payments. Once enrolled, the agency collects the court-ordered payment which is then distributed to the custodial parent through the State Disbursement Unit within the Department. In most cases where the child is receiving public aid the order will automatically be enrolled in the child support program, while all other orders may (but are not

required to) participate. Cases enrolled with the Department are often called Title IV-D cases, a reference to Title IV-D of the federal Social Security Act that requires states to establish the State Disbursement Unit and provide services related to establishing paternity and managing child support orders.

Parents enrolled in the program can receive a number of services. LCSAs can garnish an obligor's wages and thus relieve an obligee from having to seek an income withholding order. Additionally, LCSAs can also help the obligor manage payments including in the event they fall behind and can also request modification to an existing child support order when eligible or appropriate.

This bill would modify existing law by flipping the existing opt-in mechanism for child support services to default enrollment in the child support program. Importantly, the bill does include language to allow for the obligee, but not the obligor, to opt-out of enrollment although they would be able to enroll in the future should they so choose. The ability to opt-out of enrollment allows those parents who are able to manage their own payments to continue to do so and in turn allows LCSAs and the Department to use those resources to help parents who would have greater need for them. It is notable that the bill does not specify how and when the obligee would be provided the opportunity to opt-out of the program, nor does it specify the mechanics or timing of enrollment in the child support program. However, this seems like an issue that can be ironed out in rulemaking in collaboration with the Judicial Council moving forward.

According to the author:

AB 1643 makes changes to the child support application process by making it the default that custodial parents be automatically enrolled into child support services once a court decides payment is owed to the custodial parent. This bill helps alleviate the hardship experienced by custodial parents, who are more likely to be women, and their children by helping them remain out of poverty, which leads to improved health, development, and educational outcomes for these children. Replacing the need to opt-in to child support services with an opt-out option instead, increases the likelihood that custodial parents will collect payment and promotes equity by balancing responsibility for children on both parents.

The bill's supporters contend that by helping facilitate the payment of child support obligations to the custodial parent, enrollment in the program can be a vital tool in addressing child poverty in the state. According to reporting from End Child Poverty California, over 18% of all children in California live in poverty. (*Child and family poverty in California fails to improve in 2024, returns to pre-pandemic levels* (October 3, 2025) End Child Poverty California available at: <https://www.endchildpovertyca.org/child-and-family-poverty-in-california-fails-to-improve-in-2024-returns-to-pre-pandemic-levels/>.) The proponents contend that by making enrollment in the program the default, the state could take steps towards closing that gap. In doing so, the bill would increase the amount of money going to children and their custodial parents with active child support orders thereby helping to lower the rates of child poverty in California.

ARGUMENTS IN SUPPORT: This measure is sponsored by the Child Support Directors Association of California. It is additionally supported by Yolo and Sacramento counties, as well as the San Joaquin and Solano Counties Boards of Supervisors. In support of their bill, the Child Support Directors Association of California submits:

Child support is one of the most effective and proven tools for advancing child well-being, and AB 1643 represents an important step forward in ensuring more children receive the financial support they deserve.

California's local child support agencies work every day to help families navigate complex circumstances with dignity, fairness, and a focus on the best interests of children. AB 1643 advances that mission by promoting access to support while preserving appropriate safeguards and respecting parental choice.

REGISTERED SUPPORT / OPPOSITION:

Support

Child Support Directors Association of California (sponsor)

County of Yolo

County of Sacramento

San Joaquin County Board of Supervisors

Solano County Board of Supervisors

Opposition

None on file

Analysis Prepared by: Manuela Boucher-de la Cadena / JUD. / (916) 319-2334