

THIRD READING

Bill No: AB 1967
Author: Zbur (D)
Amended: 8/21/26 in Senate
Vote: 21

SENATE JUDICIARY COMMITTEE: 9-0, 6/16/26

AYES: Umberg, Allen, Caballero, Durazo, Laird, Reyes, Stern, Wahab, Wiener

NO VOTE RECORDED: Niello, Ashby, Valladares, Weber Pierson

SENATE HUMAN SERVICES COMMITTEE: 4-0, 6/29/26

AYES: Becker, Laird, Pérez, Weber Pierson

NO VOTE RECORDED: Ochoa Bogh

SENATE APPROPRIATIONS COMMITTEE: 5-0, 8/13/26

AYES: Cervantes, Cabaldon, Grayson, Richardson, Wahab

NO VOTE RECORDED: Seyarto, Dahle

ASSEMBLY FLOOR: 72-0, 5/21/26 - See last page for vote

SUBJECT: Juveniles

SOURCE: Alliance for Children's Rights
California Coalition for Youth

DIGEST: This bill modifies the procedures through which a minor can apply to a social worker for a petition, on their own behalf, to find them a dependent of the juvenile court; and permits a nonminor to become a dependent of the juvenile court if their former guardian(s) or adoptive parent(s) receive benefits on their behalf, but the minor no longer receives any support from their former guardian(s) or adoptive parent(s), as specified.

Senate Floor Amendments of 8/21/26 clarify when a nonminor is eligible to become a dependent of the juvenile court in circumstances when they are no longer receiving support from their former guardian(s) or adoptive parent(s); remove

language that may have exceeded requirements under federal law; and add contingent enactment language.

ANALYSIS:

Existing law:

- 1) Establishes the juvenile court, which has jurisdiction over minors who are suffering or at substantial risk of suffering harm or abuse and may adjudge the minor to be a dependent of the court. (Welfare & Institutions (Welf. & Inst.) Code, § 300.)
- 2) Permits the juvenile court to retain jurisdiction over any person who is found to be a ward or dependent child of the juvenile court until they attain 21 years of age. (Welf. & Inst. Code, § 303.)
- 3) Establishes criteria for who qualifies as a nonminor dependent subject to the extended jurisdiction under 2), including that the nonminor attained 18 years of age while under an order of foster care placement and has a transitional independent living case plan. (Welf. & Inst. Code, § 11400(v).)
- 4) Permits a person to apply to a social worker to commence proceedings in the juvenile court.
 - a) The application must be in the form of an affidavit alleging that the child is within the county and falls within the juvenile court's jurisdiction.
 - b) The social worker must immediately investigate, as necessary, to determine whether proceedings in the juvenile court should be commenced.
 - c) If the social worker does not commence a program of supervision with the consent of the parent or file a petition within three weeks after the application, the social worker shall state their intent not to proceed and the reasons therefor and notify the applicant of that decision. (Welf. & Inst. Code, § 329.)
- 5) Permits a person who applied to a social worker pursuant to 4), when the social worker declines to commence a program of supervision or file a petition, to, within one month after making the application, apply to the court to review the social worker's decision; the court may affirm the decision of the social worker or, if the court finds that the child is within the jurisdiction of the juvenile court, order the social worker to commence juvenile court proceedings. (Welf. & Inst. Code, § 331.)

- 6) Permits a nonminor who has not attained 21 years of age to petition the court in which they were previously found to be a dependent or delinquent child of the juvenile court for a hearing to determine whether to assume dependency jurisdiction over the nonminor, provided that the nonminor meets specified criteria. (Welf. & Inst. Code, § 388.1.)
- 7) Provides, within certain criteria for the assumption of dependency jurisdiction under 6), that a nonminor does not qualify for the assumption of dependency jurisdiction if the nonminor's former guardian(s) or adoptive parent(s) no longer provide ongoing support to, and no longer receive benefits on behalf of, the nonminor after the nonminor attained 18 years of age. (Welf. & Inst. Code, § 388.1(a).)
- 8) Permits a nonminor who meets the requirements of 6) to enter into a voluntary reentry agreement in order to establish eligibility for foster care benefits before or after filing the petition to assume dependency jurisdiction; if the agreement is made with a placing agency, the agency shall file the petition to dependency jurisdiction on the nonminor's behalf, unless the nonminor elects to file the petition at an earlier date. (Welf. & Inst. Code, § 388.1.(e).)

This bill:

- 1) Provides that an affidavit in support of an application to a social worker to commence proceedings in the juvenile court may be submitted to the social worker by mail, facsimile, or email.
- 2) Provides that, if an application to a social worker to commence proceedings in the juvenile court is submitted by the minor on their own behalf or by the minor's attorney, and the minor is currently residing at a residential facility, as defined, for children and youth, the social worker shall, when conducting a safety assessment or substitute care provider safety assessment, also assess the safety of the home of those who hold the custodial rights of the minor.
- 3) Provides that, if a minor or attorney has applied on the minor's behalf to a social worker to commence juvenile court proceedings and the social worker does not file a petition within three weeks after the petition, and the minor has applied to the juvenile court to review the decision of the social worker, the juvenile court shall review the decision and either affirm the decision or order the social worker to commence juvenile court proceedings within 14 days of the minor's application to the court for review.

- 4) Eliminates the provisions preventing a nonminor who has not attained 21 years of age, and who otherwise meets the conditions for extended foster care, from petitioning the court to resume dependency jurisdiction over themselves if their adoptive parent(s) or former guardian(s) receive specified benefits or payments on the nonminor's behalf; and instead permits such a minor to petition the court to resume dependency jurisdiction if their adoptive parent(s) or former guardian(s) receive benefits for the nonminor, but the minor is no longer receiving any support from their former guardian(s) or adoptive parent(s).
- 5) Provides that a nonminor may enter into a voluntary reentry agreement to establish eligibility for foster care benefits before or after filing a petition to assume dependency only if one of the two following conditions apply:
 - a) The nonminor's former guardian(s) or adoptive parent(s), as applicable, have died.
 - b) The nonminor is no longer receiving any support from their former guardian(s) or adoptive parent(s).
- 6) Permits the Department of Social Services to implement the changes made in 6) by means of all-county letters or similar instructions from the department until January 1, 2028.
- 7) Makes nonsubstantive technical and conforming changes.
- 8) Adds contingent enactment language to avoid a conflict with AB 2764 (Ahrens, 2026).

Comments

California's foster care system provides temporary care for children who have been removed from their homes due to neglect or abuse. Through extended foster care, youths who would otherwise "age out" of the system when they turn 18 may voluntarily remain in the system from 18 to 21 and thus receive support, housing, and educational or employment assistance while transitioning to independent living.

According to the author and sponsor, some of the most at-risk youth and minors currently face barriers to obtaining foster benefits. When a youth who is living in a homeless shelter requests that a social worker investigate and file a dependency petition on their behalf, current law is not clear that the social worker's

investigation must include an investigation into the youth's original home (i.e., the circumstances that caused them to leave and go to the shelter). Current law also puts the burden on a person who seeks an investigation by a social worker to seek judicial review if the social worker declines to file a petition. With respect to nonminor dependents, current law prohibits a nonminor from petitioning for entry into extended foster care if their guardian or adoptive parent is receiving specified benefits on their behalf; unfortunately, sometimes the guardian or adoptive parent does not actually pass those benefits onto the nonminor, leaving the nonminor stuck without support and without a path back into extended foster care.

This bill seeks to make it easier for minors and eligible nonminors to access foster care services by; (1) requiring a more timely and more appropriately focused child welfare investigation whenever a minor who, while living in a residential facility, seeks to enter foster care through self-petition; and (2) ensuring that a nonminor is not precluded from extended foster care when a former guardian or adoptive parent continues to collect benefits for the nonminor, but the nonminor is not actually receiving any support from that guardian or adoptive parent. Recent floor amendments removed the provisions requiring the court to terminate benefits provided to an adoptive parent or guardian, because those provisions may have exceeded the requirements under federal law; as amended, dependency courts will follow federal law regarding benefits termination.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

SUPPORT: (Verified 8/21/26)

Alliance for Children's Rights (co-source)
California Coalition for Youth (co-source)
AdvancED Consulting LLC
California Alliance of Caregivers
California Alliance of Child and Family Caregivers
California Democratic Party
Children Now
Equality California
John Burton Advocates for Youth
National Network for Youth
Public Counsel
Seneca

OPPOSITION: (Verified 8/21/26)

CAUSE

Child & Parental Rights Campaign
Democrats for an Informed Approach to Gender
Moms for Liberty Los Angeles County
Our Duty
Public Education Oversight Project
One individual

ARGUMENTS IN SUPPORT: According to the Alliance for Children's Rights and the California Coalition for Youth:

AB 1967 will improve upon the existing referral pathway for anyone who suspects that a youth has been the victim of abuse or neglect when the petition is made by the youth themselves to prevent them from falling through the cracks. AB 1967 will support older youth access the supports and services of extended foster care, if they choose to self-petition for entry into foster care, by requiring county social workers to review the circumstances in the home of the youth, rather than a youth shelter or group home, if the youth is not living at home when determining whether to open a juvenile dependency case. In addition, by requiring the juvenile court to review the decision and either affirm the decision or order the social worker to commence juvenile court proceedings within 14 days of the minor's application to the court for review, if a minor has applied on their own behalf to the social worker to commence juvenile court proceedings, and the social worker does not file a petition within three weeks after the application, and the minor has applied to the juvenile court to review the decision of the social worker.

AB 1967 will also support older youth in failed adoptions or guardianships access the supports and services of extended foster care, if they choose to voluntarily reenter foster care by:

- suspending the payment to the adoptive parent or guardian when they are not providing support to a nonminor, and
- allowing the nonminor to enter into extended foster care under a voluntary reentry agreement.

ARGUMENTS IN OPPOSITION: According to CAUSE:

AB 1967 creates a statutory mechanism where a minor in any residential facility licensed under Section 1502 of the Health and Safety Code (including: inpatient psychiatric facilities, drug rehabilitation programs, faith-based residential programs, wilderness therapy programs, private alternative

(therapeutic) boarding schools, outdoor behavioral programs, and youth shelters) may on their own - or with the assistance of ideologically motivated staff - initiate state dependency proceedings against his or her own parents, triggering a mandatory government investigation of the family home, setting in motion a pathway into the juvenile dependency system and the temporary and permanent removal of a distressed, vulnerable child from their parents.

AB 1967 is another step taken by the State of California to subvert parent rights and separate troubled teenagers from their loving families. This bill raises serious constitutional concerns under the Due Process Clause of the Fourteenth Amendment and the Fourth Amendment, and will not stand up to constitutional scrutiny by the courts.

ASSEMBLY FLOOR: 72-0, 5/21/26

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Irwin, Jackson, Johnson, Kalra, Krell, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas
NO VOTE RECORDED: Arambula, Chen, Gallagher, Garcia, Hoover, Lackey, Ramos, Celeste Rodriguez

Prepared by: Allison Whitt Meredith / JUD. / (916) 651-4113
8/24/26 12:21:55

**** END ****