
SENATE COMMITTEE ON HUMAN SERVICES

Senator Becker, Chair

2025 - 2026 Regular

Bill No: AB 2379
Author: Solache
Version: May 18, 2026
Urgency: Yes
Consultant: Diana Dominguez

Hearing Date: June 15, 2026
Fiscal: Yes

Subject: Family daycare homes: Fourth Amendment training

SUMMARY

This bill would require the California Department of Social Services (CDSS) to notify all licensed and license-exempt family daycare home providers of a person's rights under the Fourth Amendment of the United States Constitution. This bill would require CDSS to designate a statewide entity, as specified, to develop and provide a training program, commencing July 1, 2026. This bill would require licensed family daycare home providers to complete this training no later than June 30, 2027, or within 12 months of their initial licensing. This bill specifies that a violation of this act is not subject to criminal, civil, or administrative penalties, nor a licensing citation.

ABSTRACT

Existing Law:

- 1) Provides that the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized. (*Fourth Amendment of the United States Constitution*)
- 2) Establishes the Child Care and Development Services Act to provide a comprehensive, coordinated, and cost-effective system of child care and development services for children from infancy to 13 years of age and their parents, including a full range of supervision, health, and support services through full- and part-time programs. (*Welfare and Institutions [WIC] 10207 et seq.*)
- 3) Establishes the California Child Day Care Facilities Act to create a separate licensing category for child daycare centers and family day care homes within the existing licensing structure at CDSS. (*Health and Safety Code [HSC] 1596.70 et seq.*)
- 4) Defines "family daycare home" as a facility that regularly provides care, protection, and supervision for 14 or fewer children, in the provider's own home, for periods of less than

24 hours per day, while the parents or guardians are away, and is either a large family day care home or a small family day care home, as defined. (*HSC 1596.78*)

- 5) Prohibits any person or entity operating a child daycare facility from providing care or supervision without a valid license from CDSS. (*22 California Code of Regulations 101156(a)*)
- 6) Requires the licensee or administrator of a licensed child daycare facility to report to CDSS and the Attorney General any requests for information or access to the facility by an officer or employee of a law enforcement agency for the purpose of immigration enforcement. Prohibits a licensee or administrator from providing personal information, as defined, of staff, children in care, or their relatives and family members. (*HSC 1597.640(b)(1)(A)*)
- 7) Requires the Attorney General, by April 1, 2026, in consultation with the appropriate stakeholders, as specified, to publish model policies limiting assistance with immigration enforcement at licensed child daycare facilities to the fullest extent possible consistent with federal and state law, and ensuring that those facilities remain safe and accessible to all California residents, regardless of immigration status. Requires the Attorney General to consider certain issues when developing the model policies, as specified. (*HSC 1597.640(f)*)
- 8) Requires CDSS to inform licensed child daycare facilities of the model policies published by the Attorney General. Requires a licensed child daycare facility to ensure parents or authorized representatives of children in care are aware of the model policies published by the Attorney General. (*HSC 1597.640(g)*)
- 9) Requires a licensed child daycare facility to provide a child's parent or authorized representative with information about how to access the model policies as best practices guidance. Requires CDSS to inform licensed child daycare facilities of any revisions or updates to the model updates. Requires any information, policies, or guidance provided by facilities to parents or authorized representatives to be revised as necessary, as specified. (*HSC 1597.640(h)*)

This Bill:

- 1) Requires CDSS to notify all licensed and license-exempt family daycare home providers of a person's rights under the Fourth Amendment to the United States Constitution. Requires the notice to include, but not be limited to, information relating to the protections against searches and seizures of a home and detentions and arrests of a person in a home by local, state, or federal law enforcement officers and employees, including the United States Immigration and Customs Enforcement, without providing valid identification, a written statement of purpose, and a valid judicial warrant.
- 2) Requires the notification to be developed and provided in coordination with the training required pursuant to 3) below.

- 3) Requires CDSS, with the concurrence of any exclusive representative for licensed and license-exempt family daycare home providers, to designate a statewide entity that has recent and significant experience in providing plain language, accessible child care worker training in multiple languages to develop and provide a training program about the rights and responsibilities of a family daycare home related to a person's rights under the Fourth Amendment to the United States Constitution. Requires the training program to include the policies limiting assistance with immigration enforcement at licensed child daycare facilities.
- 4) Requires, commencing July 1, 2026, the designated statewide entity to offer the training program to licensed and license-exempt family daycare home providers. Requires family daycare home providers that are licensed on the date that this bill becomes effective to complete this training no later than June 30, 2027, and family daycare home providers that are licensed after the date that this bill becomes effective to complete this training within 12 months of their initial licensing.
- 5) Provides that a violation of this section is not subject to criminal, civil, or administrative penalties, and shall not result in a licensee being subject to citation under this act.
- 6) Provides that this act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect.

FISCAL IMPACT

According to the Assembly Appropriations Committee, "CDSS estimates one-time General Fund costs in the hundreds of thousands of dollars to develop the training. Costs to CDSS to provide the notification and to evaluate and designate a statewide entity to provide the training are minor and absorbable. CDSS is unaware of an entity that can provide such training.

"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."

BACKGROUND AND DISCUSSION

Purpose of the Bill:

According to the author, "AB 2379 builds on existing sensitive location protections by ensuring family child care providers have the information and tools they need to protect themselves, the children in their care, and the families they serve. By educating providers of their constitutional rights, the bill helps keep child care doors open and safe from intimidation, misinformation, and unlawful searches or arrests by law enforcement, including federal immigration authorities.

"Consistent statewide notice and training is needed to eliminate confusion and alleviate fear among providers, particularly in immigrant communities. Requiring the Department of Social Services to provide clear notice to family daycare home providers regarding their constitutional rights when law enforcement or immigration authorities seek entry into a home-based child care

setting and providing multilingual training to providers will help to prevent disrupted access to child care for families.”

Family Child Care Home Licensure

Family child care, formerly called family daycare, is regularly provided care, protection, and supervision of children in the licensee’s own home, known as a family child care home. Families who choose family child care for their child might do so because the family child care home is close to where they live, the provider speaks their home language, they prefer a home-like setting over a child care center, or their child is more comfortable with small class sizes. Family child care caregivers paid through subsidy are represented by Child Care Providers United.

The California Child Day Care Facilities Act of 1984 established the Child Care Licensing Program at CDSS. The mission of the Child Care Licensing Program is to ensure the health and safety of children in care and to improve the quality of their care through regulation and consultation. This mission is accomplished through prevention, compliance, and enforcement.

Family child care providers are required to maintain certain information in each child’s record, including basic information on the child such as name and birthdate, and emergency contact information. Licensees are required to keep these child records confidential, with the exception that a licensing agency may request to review and make copies of records. The law also permits a child’s parent or guardian to review their child’s record.

AB 495 (*Celeste Rodriguez, Chapter 664, Statutes of 2025*) prohibited licensed family child care homes and their employees from collecting information or documents regarding the citizenship or immigration status of children or their family members. This bill would require CDSS to notify all licensed family child care home providers of a person’s rights under the Fourth Amendment, require CDSS to designate a statewide entity to provide training on those rights, and require licensed family child care home providers to complete the training by June 30, 2027, or within 12 months of initial licensure. This bill provides that a violation of these provisions is not subject to criminal, civil, or administrative penalties and shall not result in a licensee being subject to a licensing citation.

Family, Friend, and Neighbor (FFN) Care

FFN care is care provided by grandparents, aunts, uncles, close relatives, friends, and neighbors in the child or caregiver’s home. FFN care, formally referred to as license-exempt child care, is exempt from state licensure requirements. FFN is the predominant form of child care in California and the United States, especially for infants and toddlers, the age range when child care is most expensive. A report by Early Edge California and the UC Berkeley Center for the Study of Child Care Employment estimates that one third to one half of all children under 5 are served through FFN care.¹ In California, families may use a child care subsidy to pay for the cost of FFN care. FFN caregivers paid through subsidy are represented by Child Care Providers United.

¹ https://earlyedgecalifornia.org/wp-content/uploads/2024/09/The-Importance-of-FFN-Child-Care-One-Pager_9.10.24.pdf

Although there are no licensing requirements to become a FFN provider, California requires FFN providers to register with TrustLine, the state's background check program, to be paid with a child care subsidy. State law and regulations allow FFN providers to care for relatives or for the children of only one family in addition to the provider's own children. If an individual wants to provide care to non-relative children from more than one family, they need to obtain a family child care license.

This bill would require CDSS to notify all license-exempt family child care home providers of a person's rights under the Fourth Amendment and require CDSS to designate a statewide entity to provide training on those rights.

Early Childhood Education and Child Care Providers Guidance and Model Policies

On April 1, 2026, pursuant to AB 495, the Office of the Attorney General published guidance and model policies for child care providers to keep child care facilities safe and accessible to all children and families in California, regardless of immigration status.² The guidance includes several chapters to address the following questions related to immigration enforcement for child care providers:

- What sensitive information are you required to collect about the children and families you serve, and what information are you not allowed to collect?
- When are you required to share information with immigration or other law enforcement agents? What information are you not allowed to share?
- What do you need to do if immigration enforcement agents show up at your facility?
- What should you do if a child's family member is detained or deported?
- When are you required to update and share your policies?

The guidance also includes a detailed appendix with examples of warrants, subpoenas, and other enforcement documents; a summary of confidentiality laws; a "know your rights" guide for families; a quick reference best practices checklist and a quick reference requirements checklist; and a list of resources. This bill would require licensed family child care providers to complete training on a person's rights under the Fourth Amendment.

Related/Prior Legislation:

AB 2230 (Ávila Farías), among other things, would prohibit licensed child daycare facility employees from allowing immigration enforcement from entering a licensed child daycare facility without a judicial warrant, subpoena, or court order. AB 2230 is pending in the Senate Elections Committee.

AB 495 (Celeste Rodriguez, Chapter 664, Statutes of 2025) established the Family Preparedness Plan Act of 2025, which, in part, required licensed child daycare facilities to adopt model

² <https://oag.ca.gov/system/files/media/ece-childcare-guidance-model-policies-public.pdf>

policies developed by the Attorney General regarding interaction with immigration enforcement authorities and required the Attorney General to develop those model policies.

AB 378 (Limón, Chapter 385, Statutes of 2019) authorized family child care home providers to form, join, and participate in the activities of a provider organization (union) of their own choosing for the purpose of representing them and bargaining on matters regarding the terms and conditions of their employment.

AB 450 (Chiu, Chapter 492, Statutes of 2017) prohibited an employer from providing access to a federal government immigration enforcement agent to any non-public areas of a place of labor if the agent does not have a warrant.

COMMENTS

This bill seeks to educate family child care providers about their Fourth Amendment rights to be free from unreasonable search and seizure. On June 6, 2025, U.S. Immigration and Customs Enforcement (ICE) conducted a series of immigration raids across the Los Angeles area, leading to dozens of arrests. According to the Los Angeles Times, almost three-quarters had no criminal convictions, and more than half had never been charged with a crime.³ Additionally, a survey of 330 Mexican citizens in local detention centers found that half of respondents had lived in the U.S. for at least 10 years.⁴ In some cases, ICE has detained U.S. citizens. These indiscriminate acts of profiling by ICE agents have caused heightened anxiety in immigrant communities and communities of color.

Fears about immigration enforcement are especially relevant to family child care providers, many of whom are immigrants. According to a 2025 survey by the UC Berkeley Center for the Study of Child Care Employment, 44% of family child care providers were born in another country, and only 18% of those surveyed were white.⁵ This bill would ensure that both licensed and license-exempt family child care providers have access to information and training about their Fourth Amendment rights.

This bill would require a licensed family child care provider to take Fourth Amendment training. It is unclear how this would be tracked or enforced, and by whom. The author may wish to clarify how this bill would be enforced. This bill is an urgency statute and requires an implementation date of July 1, 2026. According to Child Care Providers United, the union has already been conducting similar “know your rights” trainings. The author may wish to consider extending the implementation date based on how quickly the training curriculum can be developed and made available by the statewide entity, in coordination with CDSS.

PRIOR VOTES

Assembly Floor:

65 - 12

³ <https://www.latimes.com/california/story/2025-07-16/ice-arrests-accelerate-social-june>

⁴ *Ibid.*

⁵ <https://cscce.berkeley.edu/publications/data-snapshot/californias-ece-workforce-in-eight-charts/>

Assembly Appropriations Committee:
Assembly Human Services Committee:

12 - 2
5 - 0

POSITIONS

Support:

Child Care Providers United (CCPU) (Sponsor)
SEIU California State Council (Sponsor)
United Domestic Workers/AFSCME Local 3930 (Sponsor)

Oppose:

None received

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