
SENATE COMMITTEE ON HUMAN SERVICES

Senator Becker, Chair
2025 - 2026 Regular

Bill No: AB 2764
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Version: June 10, 2026
Urgency: No
Consultant: Heather Hopkins
Hearing Date: June 15, 2026
Fiscal: No

Subject: Extended foster care

SUMMARY

This bill prohibits a nonminor dependent (NMD) from being denied eligibility for, or have eligibility terminated from, receipt of extended foster care benefits for failure to meet education or employment participation requirements that exceed the program requirements.

ABSTRACT

Existing Law:

- 1) Establishes a state and local system of child welfare services, including foster care, for children who have been adjudged by the court to be at risk of abuse and neglect, or have been abused or neglected, as specified. (*Welfare and Institutions Code [WIC] 202*)
- 2) States that the purpose of foster care law is to provide maximum safety and protection for children who are currently being physically, sexually, emotionally abused, neglected, or exploited, and to ensure the safety, protection, and physical and emotional well-being of children who are at risk of harm. (*WIC 300.2*)
- 3) Requires the California Department of Social Services (CDSS) to, with the approval of the federal government, permit all eligible children to be served by the Independent Living Program (ILP) until age 21. (*WIC 10609.3(d)*)
- 4) Delineates responsibilities for CDSS in the development and administration of the ILP. (*WIC 10609.4*)
- 5) Extends juvenile court jurisdiction and Aid to Families and Dependent Children-Foster Care benefits to NMDs up to age 21, provided the youth meets at least one of five participation conditions: (1) completing secondary education or an equivalent credential program; (2) enrolled in postsecondary or vocational education; (3) participating in a program or activity designed to promote or remove barriers to employment; (4) employed at least 80 hours per month; or (5) incapable of any of the above due to a medical condition documented in the case plan. (*WIC 11403(b)*).

- 6) Defines a NMD as a current or former foster youth who is between 18 and not more than 20 years of age, in foster care under the responsibility of the county welfare department, county probation department, or Indian tribe, and is has a transitional independent living case plan (TILP). (*WIC 11400(v)*)
- 7) Allows a nonminor former foster youth under the age of 21 to petition the court for re-entry into foster care if their guardian or adoptive parent is no longer providing them with support and no longer collecting benefits on behalf of the youth. (*WIC 388.1*)

This Bill:

- 1) Provides that a NMD shall not be denied eligibility for, or have eligibility terminated from, receipt of aid pursuant to this chapter and any other extended foster care benefits provided pursuant to the California Fostering Connections to Success Act for failure to meet education or employment participation requirements that exceed the participation requirements.
- 2) Provides that this applies to, but is not limited to, county welfare agencies, judicial officers, and licensed foster care providers.

FISCAL IMPACT

This bill has been keyed non-fiscal by the Legislative Counsel.

BACKGROUND AND DISCUSSION**Purpose of the Bill:**

According to the author, “AB 2764 would ensure consistent and fair eligibility for Extended Foster Care (EFC) statewide, so all youth have equal access to housing and support, regardless of their county or caseworker. As a former foster youth, I understand the importance of maintaining social support systems for foster youth into adulthood. By ensuring that county eligibility requirements for Extended Foster Care programs remain consistent with statewide standards, this bill will reduce confusion and prevent vulnerable individuals from losing access to housing for dubious reasons.”

Child Welfare System (CWS)

The CWS is the system of intervention for child abuse and neglect. This system provides services to children who have been abused or neglected and their families. The goal of this system is to keep children in their home when it is safe, and when the child is at risk, to develop an alternative plan as quickly as possible¹. Social workers in each county receive reports of abuse or neglect, and work to investigate and resolve those reports. When the investigation substantiates the allegations of abuse or neglect, a family is either provided with services to

¹ <https://www.cdss.ca.gov/inforesources/child-welfare-protection/policies>

ensure a child's wellbeing and avoid court involvement, or a child is removed from the family and placed into foster care. In 2025, the state's child welfare agencies received 398,861 reports of abuse or neglect. Of these, 45,856 reports contained substantiated allegations, and 17,886 children were removed from their homes and placed into foster care via the CWS system.

Extended Foster Care

The intent of extended foster care is to bridge the gap between the intensive supervision of foster care and unsupervised adulthood by maintaining a safety net of support while providing youth independence and additional educational or work opportunities. It was prompted by the recognition that many youth are unable to successfully transition from foster care or group care to adulthood without additional guidance and assistance.

The federal Fostering Connections to Success and Increasing Adoptions Act of 2008 (*P.L. 110-351*) enabled states to expand the definition of a foster "child," by creating extended care for youth up to age 21. The federal law allows foster youth to remain in care past age 18 if they meet one of the following participation criteria: enrolled in high school or a high school equivalency credential; enrolled in college, community college, or vocational education; employed for at least 80 hours a month; participating in other qualifying activities or programs designed to remove barriers to employment; or medically exempt from meeting any of the other participation criteria.

In 2010, California enacted AB 12 (*Beall, Chapter 559, Statutes of 2010*), which permits foster youth to remain in extended foster care until age 21, under the same criteria as the federal statute. At the six-month hearing prior to a youth turning 18 years old, the youth's social worker or probation officer must submit a transitional living plan to ensure that the youth will meet at least one participation criteria, listed above, if the youth plans to participate in extended foster care. The youth must also sign an agreement to remain in foster care within six months of turning 18, reside in an eligible placement, and agree to work with their social worker to meet the goals of their transitional living plan. Additionally, existing law allows qualifying nonminors who are former foster youth under the age of 21 to petition the court for re-entry into foster care to participate in extended foster care, as provided.

The University of Chicago's Chapin Hall conducted the California Youth Transitions to Adulthood Study (CalYOUTH) in 2018. This study evaluated the impacts of extended foster care on outcomes for transition age foster youth. The following were among the findings of the CalYOUTH study for each additional year a youth spent in extended foster care:

- Increased the probability that they completed a high school credential by about 8 percent;
- Increased their expected probability of enrolling in college by 10 to 11 percent;
- Decreased the odds that they became pregnant or impregnated an individual between the ages of 17 and 21 by 28 percent; and
- Decreased the odds of being homeless or couch-surfing between the ages of 17 and 21 by about 28 percent.

Youth participation in the program exceeded initial expectations. Between July 2010 and July 2014, the number of youth age 18-20 in extended foster care in California increased by 211 percent, from 2,908 to 9,032. According to data compiled by UC Berkeley, as of January 1,

2026, there were 6,753 youth aged 18-21 in foster care.²

Variations by County

The amount of time a youth spends in Extended Foster Care varies greatly by county. A University of Chicago study³ found that the average length of stay after their 18th birthday ranged from 3.5 months in Sutter County to 27.4 months in Alameda County. The study further noted “although youth-level attributes help explain some of the differences in how long youth stay in care after their 18th birthday, system-level factors, including the implementation of the extended care policy and the county responsible for the youth’s placement, appear to have much greater effects on the likelihood that the youth will remain in care.”

The sponsors of this bill note specific examples of youth being required to fulfill criteria above what the law requires. They note examples including “1) requiring that the youth have already obtained a high school diploma, while AB 12 explicitly identifies those trying to finish high school or complete their GED are eligible; 2) having higher than minimum 80 hours per month education or work requirements; 3) imposing a time limit on mental health condition exemptions when there is no higher housing and service option than THPP-NMD to serve these youth should they be exited.”

This bill does not change the requirements for Extended Foster Care, rather it makes clear that the participation requirements in the law are the standards and prohibits requiring more than those standards. The hope is that this clarification of law will result in more youth participating in the program.

Related/Prior Legislation:

AB 2477 (Zbur, Chapter 237, Statutes of 2024) Clarifies that a NMD who re-enters foster care and is ineligible for federal financial participation, is eligible to receive aid in the form of state Aid to Families with Dependent Children – Foster Care if all other specified criteria are met.

SB 9 (Cortese, 2023) initially this bill would have raised the age for extended foster care from age 21 to 22 if the court finds that the nonminor is experiencing homelessness or is at a reasonable risk of homelessness if they are not under the jurisdiction of the juvenile court. It was later amended to establish a three-year pilot program to extend foster care services to nonminors who are up to 22 years of age and who are either experiencing homelessness or who are at reasonable risk of experiencing homelessness be authorized in at least three counties. This bill was held in the Assembly Appropriations Committee.

AB 2502 (Cervantes, 2022) would have extended juvenile court jurisdiction and support to nonminor dependents who turn 21 years of age during a statewide state of emergency declared by the Governor. This bill was held by the Senate Appropriations Committee.

AB 2306 (Cooley, 2021) would have expanded the Independent Living Program to include current and former foster youth up to 22 years of age, subject to an appropriation and to federal

² <https://ccwip.berkeley.edu/childwelfare/reports/PITOMP/MTSG/omp/ab636/1>

³ https://www.chapinhall.org/wp-content/uploads/CY_FA_IB0417.pdf

approval. Would have expanded the requirement for counties to provide stipends that assist youth with specified independent living needs to those who have exited the foster care system at or after 18 years of age, to include former foster youth up to 25 years of age. This bill was vetoed by the Governor.

AB 1892 (Chiu, Chapter 612, Statutes of 2018) Established extended foster care eligibility and reentry provisions; strengthened due process notice requirements for NMDs facing termination of aid.

AB 12 (Beall Chapter 559, Statutes of 2010) Established the California Fostering Connections to Success Act, which established the extended foster care framework.

COMMENTS

Extended foster care helps to improve outcomes for youth. Youth who participate in extended foster care are more likely to complete a high school credential and enroll in college and less likely to become pregnant or homeless. Anecdotal evidence shows various counties are requiring NMD to exceed these requirements, risking denial of benefits. This bill seeks to clarify existing law by prohibiting a NMD from being denied eligibility for, or have eligibility terminated from, receipt of extended foster care benefits for failure to meet education or employment participation requirements that exceed the program requirements.

PRIOR VOTES

Assembly Floor: 68 - 0

Assembly Human Services Committee: 5 - 0

POSITIONS

Support:

- John Burton Advocates for Youth (Sponsor)
- California Alliance of Child and Family Services (Co-Sponsor)
- Alliance for Children's Rights
- Aspiranet
- California Alliance of Caregivers
- Casa Pacifica Centers for Children and Families
- Children Now
- Children's Law Center of California
- County Welfare Directors Association of California
- Los Angeles County Office of Education
- Santa Clara County Office of Education
- Stanford Youth Solutions

Oppose:

None received

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