
THIRD READING

Bill No: AB 2764
Author: Ahrens (D), et al.
Amended: 8/6/26 in Senate
Vote: 21

SENATE HUMAN SERVICES COMMITTEE: 4-0, 6/15/26

AYES: Becker, Ochoa Bogh, Laird, Pérez

NO VOTE RECORDED: Weber Pierson

ASSEMBLY FLOOR: 68-0, 5/4/26 - See last page for vote

SUBJECT: Extended foster care

SOURCE: California Alliance of Child and Family Services
John Burton Advocates for Youth

DIGEST: 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.

Senate Floor Amendments of 8/6/26 clarify that specific programs can have their own requirements so long as those are no inconsistent with eligibility requirements in law.

ANALYSIS:

Existing law:

- 1) 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. (Welfare and Institutions Code (WIC) 11403(b)).
- 2) 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))
 - 3) 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.
- 3) Provides that nothing in this bill shall be construed to prohibit a placement provider or program serving nonminor dependents from establishing reasonable program participation expectations related to housing stability, case management, life skills development, or supportive services, provided those expectations do not alter or expand the eligibility requirements for extended foster care benefits established in this section.

Background

Author Statement. 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 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

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

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)

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

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

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.

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

SUPPORT: (Verified 8/6/27)

California Alliance of Child and Family Services (Co-source)

John Burton Advocates for Youth (Co-source)

Alliance for Children's Rights

Aspiranet

California Alliance of Caregivers

California Family Resource Association

California Teachers Association

California Youth Empowerment Network

Casa Pacifica Centers for Children and Families

Child Abuse Prevention Center and its Affiliates Safe Kids California, Prevent

Child Abuse California and the California Family Resource Association; the

Children Now

Children's Law Center of California

County Welfare Directors Association of California

Lincoln Families

Los Angeles County Office of Education

Santa Clara County Office of Education

Stanford Youth Solutions

OPPOSITION: (Verified 8/6/26)

None received

ASSEMBLY FLOOR: 68-0, 5/4/26

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Ávila Farías, Bains, Bauer-Kahan, Berman, Boerner, Bonta, Bryan, Calderon, Carrillo, Castillo, Connolly, Davies, Dixon, Elhawary, Flora, Fong, Gabriel, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Irwin, Jackson, Kalra,

Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NO VOTE RECORDED: Arambula, Bennett, Caloza, Chen, DeMaio, Ellis, Gallagher, Hoover, Johnson, Patterson, Sanchez, Tangipa

Prepared by: Heather Hopkins / HUMAN S. / (916) 651-1524
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