
THIRD READING

Bill No: AB 2765
Author: Ahrens (D), et al.
Amended: 8/13/26 in Senate
Vote: 27 - Urgency

SENATE HUMAN SERVICES COMMITTEE: 3-0, 6/15/26

AYES: Becker, Laird, Pérez

NO VOTE RECORDED: Ochoa Bogh, Weber Pierson

SENATE APPROPRIATIONS COMMITTEE: 6-1, 8/13/26

AYES: Cervantes, Cabaldon, Dahle, Grayson, Richardson, Wahab

NOES: Seyarto

ASSEMBLY FLOOR: 61-11, 5/26/26 - See last page for vote

SUBJECT: CalFresh and CalWORKs: childhood hunger and foster youth

SOURCE: SEIU California
End Child Poverty CA

DIGEST: This bill makes a number of changes that require the state and counties to implement H.R. 1 using specified steps to maximize currently allowed exemptions for former foster youth and others affected by H.R. 1.

ANALYSIS:

Existing Law:

- 1) Establishes under federal law, Supplemental Nutrition Assistance Program (SNAP) to promote the general welfare and to safeguard the health and wellbeing of the nation's population by raising the levels of nutrition among low-income households. (7 United States Code [USC] Section 2011 et seq.)

- 2) Establishes the federal Temporary Assistance for Needy Families (TANF) program, which permits states to implement the program under a state plan. (42 USC 601 et seq.)
- 3) Requires Able-Bodied Adults Without Dependents (ABAWD) to only be eligible for SNAP for three months during a three-year period unless they qualify for an exemption. (7 Code of Federal Regulations [CFR] 273.24)
- 4) Provides exceptions to the ABAWD time limit if the person is:
 - a) under 18, or over 64, years of age
 - b) medically certified as physically or mentally unfit for employment
 - c) a parent or other member of a household with responsibility for a dependent child under 14 years of age
 - d) otherwise exempt due to participation in another program
 - e) a pregnant woman
 - f) an Indian or an Urban Indian
 - g) A California Indian (7 USC 2015(o))
- 5) Allows a state agency to waive the ABAWD time limit requirements for a group of individuals if it is determined that the area the individuals live in has:
 - a) An unemployment rate of 10% or more; or
 - b) Does not have enough jobs to provide employment for the individuals. (7 CFR 273.24(f))
- 6) Exempts individuals physically or mentally unfit for employment, as defined by a State agency, from SNAP ABAWD work requirements. State agencies must also establish procedures for verifying, and will verify, claimed physical or mental unfitness when necessary. (7 CFR 273.7(b)(1)(ii))
- 7) Establishes the CalWORKs program to provide cash assistance and other social services for low-income families through the federal TANF program. Under CalWORKs, each county provides assistance through a combination of state, county, and federal TANF funds. (Welfare and Institutions Code [WIC] §11200 et seq.)

- 8) Establishes income, asset, and real property limits used to determine eligibility for the CalWORKs program and grant amounts based on family size and county of residence. (WIC §11150-11160, 11450 et seq.)
- 9) States that the Legislature supports the use of a standardized Child and Adolescent Needs and Strengths (CANS) assessment tool completed to fidelity to guide case management and to identify trauma-informed services and supports tailored to meet the individual needs of children in foster care, with the goal of obtaining permanency and stability for every child and nonminor dependent. (WIC §16560)
- 10) Establishes the CalFresh program to administer the provision of federal SNAP benefits to families and individuals meeting specified criteria. (WIC §18900 et seq.)
- 11) Declares that every human being has the right to access sufficient affordable and healthy food. (WIC §18700(a)(1))
- 12) Requires the California Department of Social Service (CDSS) to annually seek a federal waiver for all counties to be exempt from the requirements of the SNAP provision that requires ABAWDs to be limited to three months of CalFresh benefits in a three-year period unless that participant has met the work participation requirement. (WIC §18926)
- 13) Allows a family that is receiving CalWORKs benefits to also receive an allowance for recurring special needs not common to a majority of recipients. These recurring special needs include, but are not limited to, special diets upon the recommendation of a physician for circumstances other than pregnancy, and unusual costs of transportation, laundry, housekeeping services, telephone, and utilities. The recurring special needs allowance for each family per month shall not exceed that amount resulting from multiplying the sum of \$10 by the number of recipients in the family who are eligible for assistance. (WIC §11450 (e))

This bill:

- 1) Makes findings and declarations about the impact of H. R. 1 and the Legislature's plan to amend state law to offset the harm created by it.
- 2) Increases the amount of the allowance for recurring special needs that certain CalWORKs families can receive from \$10 to \$15 multiplied by the number
- 3) States that it is the intention of the Legislature to provide direction to the state and counties to maximize efforts to retain in the program as many CalFresh

recipients as possible and provide for the continuation of food benefits for as many Californians as possible who may become ineligible for CalFresh benefits as H.R. 1 is implemented.

- 4) Requires state and counties to implement H.R. 1 using all of the following steps:
 - a) Mitigate harm and minimize client impacts and discontinuances of benefits whenever possible.
 - b) Use data and research to inform decisions, monitor impacts, and make adjustments when necessary.
 - c) Actively seek insight from people with lived experience and from partners representing a variety of local and state sectors.
 - d) Identify opportunities to improve existing processes in parallel with implementation efforts that center client and county user experience.
 - e) Subject to appropriation by the Legislature, provide appropriate and adequate state funding and resources to counties to administer the program, provide case management, and properly screen recipients under these complex and challenging new changes.
- 5) Requires CDSS, in collaboration with other departments and the California Health and Human Services Agency, as necessary, to adopt, provide instructions to counties, and automate for blanket exemptions to CalFresh work requirements, in accordance with federal law, operative on the day California Statewide Automated Welfare System (CalSAWS) has made the needed automation changes, for the following populations eligible for CalFresh:
 - a) Individuals served under the Lanterman Developmental Disabilities Services Act by regional centers who qualify for an exemption to the CalFresh work requirements because they are medically certified as physically or mentally unfit for work.
 - b) Individuals who are recipients of the In-Home Supportive Services program and their caregiver providers.
 - c) Individuals who are unfit for work because they lack a fixed, regular, and adequate nighttime residence.
 - d) Youth who currently have, or have previously had, an open child welfare or probation case and who are unfit for work due to a documented behavioral or

physical health condition as indicated in their case plan, medical billing claims data, or other appropriate documentation. This includes but is not limited to, the following:

- i) Individuals participating in extended foster care pursuant to Section 11403(b)(5) who have been determined to have a medical condition that renders them incapable of engaging in school, employment, or other qualifying activities.
 - ii) Individuals who exited the foster care system and were previously participating in the extended foster care program and who were determined to have a medical condition while in foster care that rendered them incapable of engaging in school, employment or other qualifying activities prior to exiting foster care.
 - iii) Individuals who exited foster care and are eligible to receive full-scope Medi-Cal through age 26 with a documented, qualifying medical condition.
- 6) Provides that all exemptions provided by the state and counties under H.R. 1 shall, in accordance with federal law and guidance, remain in effect for any recipient until, at the earliest, the next scheduled redetermination for that recipient, when the exemption shall be reassessed by the county, unless the automated exemption at redetermination allows for the exemption to continue.
- 7) Requires CDSS to provide data on at least a monthly basis to the appropriate policy and fiscal committees of the Legislature, starting December 15, 2026, and by every 15th day of each month thereafter, on the total number of CalFresh recipients subject to, exempted from, or discontinued from the program due to the CalFresh work requirements under H.R. 1.
- 8) Requires the data described above to include as much detail as possible on the characteristics of the recipients losing CalFresh, including, but not limited to, the nature of qualifying exemptions, the reasons for any discontinuances, demographic data about the recipient subject to the time limit and the other people in their assistance unit, both of which shall be reported both in aggregate and discrete from one another to ensure impacts are clearly understood at both the individual and household level, and explain the implementation of major new sources of administrative data supporting exemptions.
- 9) Requires CDSS to follow all applicable data- deidentification guidelines.

- 10) Prohibits an individual from being discontinued from CalFresh due to the ABAWD work requirements under H.R. 1 in California before October 1, 2026, or until all of the following administrative activities are complete, whichever is later:
 - a) Completion of all automation essential to the initial implementation of H.R. 1. This shall not preclude future additional automation and enhancements to streamline and support counties' ability to support CalFresh applicants and recipients.
 - b) Completion of functionality in the California Statewide Automated Welfare System to support automated exemptions as identified by the state. This shall not preclude future additional automation and enhancements to streamline and support the automated exemption processes.
- 11) Requires CDSS to convene a working group considering additional blanket exemptions for former foster youth to CalFresh work requirements, including available data indicating participation in work, school, removing barriers to work or school, or having a documented medical condition. Data exploration may include but not be limited to the Child and Adolescent Needs and Strengths (CANS), the Independent Living Program, the Transition to Independent Living, and Child and Family Team documentation.
- 12) Requires, if the working group determines that additional data is needed for the Child Welfare Services- California Automated Response and Engagement System to interface with CalSAWS to automate the exemptions, CDSS to work with the California Welfare Directors Association of California to report to the Legislature on the cost of additional workload for any county welfare agencies.
- 13) Requires CDSS to, working with other departments and the California Health and Human Services Agency, as necessary, adopt, provide instructions to counties, and automate for blanket compliance with CalFresh work requirements, in accordance with federal law, for individuals participating in extended foster care and who have been determined to be working at least 80 hours per month.
- 14) Makes 17) operative on the date when the Department notifies the Legislature both that a process has been established to provide the data to the California Statewide Automated Welfare System, and that the necessary changes have been automated to implement this provision.

- 15) Defines “ABAWD participant” to include a parent or other member of a household with responsibility for a dependent child 14 years of age or older as a result of federal H.R. 1.
- 16) Provides that no appropriation pursuant to Section 15200 of the Welfare and Institutions Code shall be made for purposes of this act.
- 17) Makes this bill an urgency statute.

Background

According to the author, “This bill addresses cuts to critical benefits for food security across the State of California. Just because families have children over the age of 14 or are a part of vulnerable groups such as current or former foster youth does not mean that they should have to worry about where or how they are going to fund their next meal after three months.

The waiver of the three-month, so-called ‘Able Bodied Adult Without Dependent’ time requirement threatens the food safety benefits of approximately 610,000 CalFresh beneficiaries, as they will soon be subject to work requirements for their benefits. Even though 115,000 of these individuals currently work 20 hours or more hours per week, the other 495,000 will be subjected to discontinuance of benefits when these changes come into effect on July 1st, 2026. During this period of significant food inflation, these cuts to food benefits threaten the fabric of our social safety nets and, without a doubt, will increase the number of children in our state experiencing the indignity of hunger.

As someone who knows what it feels like to worry about where your next meal comes from, I am asking my colleagues in the Legislature to remember that we have an obligation to protect the children in our state. While there are many ways that our capacity to do so is limited, this is not the case when it comes to hunger. We can and have reduced child hunger in our state. We can’t let H.R. 1 undo that progress and we must make sure as few individuals and families as possible go hungry in our Golden State.”

CalFresh. CalFresh is California’s version of federal SNAP, an entitlement program that provides eligible households with federally funded monthly benefits to purchase food. CalFresh food benefits are issued through an electronic benefits transfer (EBT) card which cardholders can use at point-of-sale terminals authorized by the United States (U.S.) Department of Agriculture Food and Nutrition Service. Grocers and other retailers are paid directly by the federal government for the dollar value of

purchases made with CalFresh food benefits. Monthly benefits per household vary based on household size, income, and deductible living expenses—with larger households generally receiving more benefits than smaller households and relatively higher-income households generally receiving fewer benefits than lower-income households.

House Resolution 1 (Public Law 119-21). On July 4, 2025, the President signed House Resolution 1 (H.R. 1) which became Public Law 119-21. The law makes several changes to many policy areas including agriculture, energy, taxation, and nutrition programs, specifically SNAP (CalFresh in California). The major provisions affecting CalFresh include:

- Modifications to the work requirements for ABAWDs: Prior to H.R. 1, certain groups were exempt from ABAWD work requirements. H.R. 1 repealed those exemptions and created new ones. A more detailed discussion of this change is below.
- Requires states to pay a share of the CalFresh benefit to recipients. The state share is determined by a formula based on the state's CalFresh payment error rates.
- Ending access to CalFresh for some immigrants with lawful status.

Able-Bodied Adults without Dependents (ABAWD). Before H.R. 1, a person who was 18 to 54 years old, able to work, and did not have any dependents but otherwise fulfills CalFresh income requirements was considered ABAWD. As established with the federal Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996, under the ABAWD time limit, ABAWDs can only receive SNAP (CalFresh) benefits for three months in three years unless they work at least 80 hours per month, participate in a qualifying education and training activity for at least 80 hours per month, or comply with a work program. ABAWDs can also satisfy these requirements, also called work registration, by participating in the CalFresh E&T program. Before H.R. 1, certain groups were given exceptions to the ABAWD work and time limit requirements despite being an adult without dependents or disabilities.

Due to high unemployment rates, California has been designated a 'work surplus area' and therefore, every adult CalFresh recipient has been operating with a waiver to the ABAWD time limit rules. Under current state law, CDSS is annually required to apply for a federal exemption to the ABAWD rule if the state meets certain federal criteria related to high unemployment. The USDA Food and Nutrition Services has

approved California for a statewide ABAWD waiver many times, most recently in January of 2025 and would have been effective through January 2027. However, after the passage of H.R. 1, the USDA Food and Nutrition Service rescinded and ended the state's ABAWD waiver effective November 2, 2025 for most counties and will end it effective October 31, 2026 for Colusa, Imperial, and Tulare counties.

Under H.R. 1, the number of ABAWD exceptions has decreased and the number of people who are considered to be ABAWDs and required to work to receive CalFresh benefits have increased. There are no longer time limit exceptions for: (1) adults 55-64 years old, (2) parents and caretakers with children 14 and older, (3) veterans, (4) people experiencing homelessness, and (5) former foster youth.

However, those individuals could be eligible for one of a few remaining exceptions to the work registration requirement and continue to receive CalFresh benefits beyond three months as ABAWDs.

According to CDSS, two-thirds of adults between 18 and 64 years old are currently eligible for an exemption to the ABAWD time limit or work registration and that exemption can be applied through current automation processes. The remaining third will need to take extra steps to prove they are eligible for an exemption, including working with a county eligibility worker to learn what options are available to them. These beneficiaries are most at risk of losing CalFresh benefits. The ABAWD section of H.R. 1 was effective starting June 1, 2026 meaning October 2026 will be the first month a person may go without CalFresh benefits due to the new ABAWD limits.

Nationally, 3.5 million people have already lost SNAP benefits since H.R. 1 was enacted. In states that have implemented H.R. 1 provisions early, including ABAWD time limit changes, there have been significant changes in SNAP enrollment. For example, in Arizona there has been a 47% decrease in SNAP enrollment since the law was enacted. This includes 181,000 fewer children receiving benefits.¹

Though Arizona has seen the most severe decline, every state has had a decline in enrollment, and 10 states have had an over 10% decline in enrollment.² This is true even though there are aspects to H. R. 1 that are not yet enacted such as the benefit cost sharing provisions. This bill would create guiding principles for the state that

¹ www.cbpp.org/blog/arizonas-snap-participation-is-plummeting-far-more-than-anticipated-as-it-implements-megabill

² www.cbpp.org/research/food-assistance/snap-tracker-people-are-losing-food-assistance-as-the-republican-megabill

require harm mitigation, continuity of benefits and CalSAWS automation, when possible, to avoid unnecessary disenrollments.

H.R. 1 impacts on Former Foster Youth. Former foster youth are no longer eligible for a blanket exemption to the ABAWD time limit and therefore can only be exempt if they qualify for a different work registration or time limit exemption. Getting an exemption requires official documentation, additional forms, and other administrative processes that create barriers for most people but are especially difficult for many former foster youth. This bill would require the California Health and Human Services Agency to create blanket exemption automation through CalSAWS for individuals that would qualify for an exemption including former foster youth that have a documented medical condition and create a working group to consider additional blanket exemptions that could be automated for former foster youth, including using data from CANS.

[NOTE: See the Senate Human Services analysis for detailed background of this bill.]

Related/Prior Legislation:

AB 2299 (Calderon, 2026), renames and revises the California Food Assistance Program for Legal Immigrants by removing outdated federal eligibility references, extending eligibility to individuals ineligible for CalFresh due to ABAWD time limits or humanitarian immigration status. Requires the CDSS to provide state-funded benefits to those populations and revises benefit calculations. AB 2299 was held in Senate Appropriations Committee

AB 1211 (Sharp-Collins, 2025) would have required CDSS, if the federal government reduced SNAP benefits, to ensure that CalFresh benefits remain at current levels, and to use state funds if federal funding is insufficient. Would have required CDSS to conduct a feasibility study on increasing eligibility and benefits of the CalFresh program. AB 1211 was held on the Assembly Appropriations Committee suspense file.

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

According to the Senate Appropriations Committee:

- Unknown ongoing General Fund costs to increase payment levels for the CalWORKs recurring special needs allowance.

- Unknown ongoing General Fund costs, potentially hundreds of thousands, for CDSS for state administration.
- Unknown one-time General Fund costs, potentially hundreds of thousands, to update the Statewide Automated Welfare System (CalSAWS).
- Unknown costs to counties for administration. Cost to counties would be potentially reimbursable by the state, subject to a determination by the Commission on State Mandates.

SUPPORT: (Verified 8/14/26)

SEIU California (co-source)

End Child Poverty CA (co-source)

Alliance for Children's Rights

Aspiranet

California Alliance of Child and Family Services

California Family Resource Association

California Teachers Association

California Wic Association

Child Abuse Prevention Center and its Affiliates Safe Kids California, Prevent Child Abuse California and the California Family Resource Association; the Children Now

County of Santa Clara

Indivisible CA Statestrong

John Burton Advocates for Youth

Los Angeles County Office of Education

San Diego; County of

Santa Clara County Office of Education

OPPOSITION: (Verified 8/14/26)

None received

ASSEMBLY FLOOR: 61-11, 5/26/26

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Fariás, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Connolly, Elhawary, Fong, Gabriel, Garcia, Gipson, Jeff Gonzalez, Mark González, Haney, Harabedian, Hart, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal, McKinnor, Nguyen, Ortega, Pacheco, Papan, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Michelle Rodriguez,

Rogers, Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani,
Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NOES: Chen, DeMaio, Dixon, Ellis, Flora, Gallagher, Hadwick, Johnson,
Macedo, Sanchez, Tangipa

NO VOTE RECORDED: Castillo, Davies, Hoover, Lackey, Muratsuchi,
Patterson, Celeste Rodriguez, Ta

Prepared by: Naima Ford Antal / HUMAN S. / (916) 651-1524
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**** **END** ****