
THIRD READING

Bill No: AB 461
Author: Ahrens (D), et al.
Amended: 8/29/25 in Senate
Vote: 21

SENATE HUMAN SERVICES COMMITTEE: 4-1, 6/30/25
AYES: Arreguín, Becker, Limón, Pérez
NOES: Ochoa Bogh

SENATE PUBLIC SAFETY COMMITTEE: 5-1, 7/15/25
AYES: Arreguín, Caballero, Gonzalez, Pérez, Wiener
NOES: Seyarto

SENATE APPROPRIATIONS COMMITTEE: 5-2, 8/29/25
AYES: Caballero, Cabaldon, Grayson, Richardson, Wahab
NOES: Seyarto, Dahle

ASSEMBLY FLOOR: 60-9, 6/2/25 - See last page for vote

SUBJECT: Truancy: CalWORKs: school attendance

SOURCE: California State Council of Service Employees International Union
End Child Poverty California Powered by Grace

DIGEST: This bill creates the More Help Not Less Act of 2025 which deletes the criminal penalties and CalWORKs sanctions levied on families of students who are truant, as specified. This bill also expands the welfare- to- work program to certain 16 and 17 year olds.

ANALYSIS:

Existing Law:

- 1) Establishes the federal Temporary Assistance for Needy Families (TANF) program, which provides block grants to states to develop and implement

their own state welfare-to-work programs designed to provide cash assistance and other supports and services to low-income families. (42 United States Code (USC) 601 et seq.)

- 2) 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 (WIC) 11200 et seq.)
- 3) Establishes income, asset, and real property limits used to determine eligibility for the CalWORKs program, and CalWORKs grant amounts, based on family size and county of residence. (WIC 11150 to 11160; 11450 et seq.)
- 4) Requires all children in an assistance unit for whom school attendance is compulsory, except individuals who are eligible for the Cal-Learn Program, are required to attend school. Requires CalWORKS applicants to be informed of the school attendance requirement and for it to be in the welfare- to – work plan. (WIC 11253.5 (a-b))
- 5) Requires all children in a CalWORKs assistance unit for whom school attendance is compulsory to attend school, with specified exceptions. States that a child shall be presumed to be attending school unless they have been deemed a chronic truant, as specified, and prohibits, unless specified conditions exist, the consideration of the needs of a child in an assistance unit who is 16 years old or older from being considered in the calculation of the family's CalWORKs cash grant in any month in which the county is informed that the child did not attend school. (WIC 11253.5(d))
- 6) States that for the CalWORKs school attendance policy, a child shall be presumed to be attending school unless he or she has been deemed a chronic truant pursuant to Section 48263.6 of the Education Code. (WIC 11253.5 (f))
- 7) Generally requires a recipient of CalWORKs benefits to participate in welfare-to-work activities as a condition of eligibility for aid. (WIC 11320 et. seq.)
- 8) States that the parents of students found to be not regularly attending school are guilty of criminal misdemeanor penalties of a fine up to \$2,000, 1 year of jail time, or both if they have failed to reasonably supervise the student

and have been offered language accessible support services. (Penal Code Section 270.1)

- 9) Defines "truant" as any pupil subject to compulsory full-time education or to compulsory continuation education who is absent from school without a valid excuse three full days in one school year or tardy or absent for more than any 30-minute period during the schoolday without a valid excuse on three occasions in one school year, or any combination thereof. (Education Code 48260)
- 10) Defines "chronic truant" as any pupil subject to compulsory full-time education or to compulsory continuation education who is absent from school without a valid excuse for 10 percent or more of the schooldays in one school year. (Education Code 48263.6)
- 11) Allows a CalWORKs recipient to participate in family stabilization if the county determines that the recipient's family is experiencing an identified situation or crisis that is destabilizing the family and would interfere with participation in welfare-to-work activities and services. A situation or a crisis that is destabilizing the family may include, but shall not be limited to:
 - a) Homelessness or imminent risk of homelessness.
 - b) A lack of safety due to domestic violence.
 - c) Untreated or undertreated behavioral needs, including mental health or substance abuse-related needs. (WIC 11325.24)

This bill:

- 1) Deletes the penal code section which makes parents or guardians of children in kindergarten through eighth grade and subject to compulsory full-time education and found to be a chronic truant guilty of a misdemeanor if they have failed to reasonably supervise the student and have been offered language accessible support services.
- 2) Extends the sunset dates for WIC 11253.5, which requires all children in a CalWORKs assistance unit for whom school attendance is compulsory to attend school, with specified exceptions and sanctions parents of a child in an assistance unit who is 16 years old or older by removing them from being

considered in the calculation of the family's CalWORKs cash grant, until July 1, 2026 or the date that the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this bill, whichever date is later, and, as of January 1, 2027, or January 1 of the year following the Legislature receiving that notification, whichever date is later, is repealed.

- 3) Requires a county human services agency that is informed that a child in an assistance unit is not attending school to:
 - a) Screen the family to determine eligibility for family stabilization services.
 - b) If the child is 16 years old or older, allow the child to participate in the same welfare- to- work services available to adults, as long as activities support the child's compliance with the Compulsory Education Law or attendance or progress in school.
- 4) Allows a child who is not attending school as required by the Compulsory Education Law to remain eligible for services that may lead to attendance in school.
- 5) Allow CDSS to implement and administer this bill through all county letters or similar instructions.
- 6) Delays implementation of the requirements described in 3) and 4) until July 1, 2026, or on the date that the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this section, whichever date is later.
- 7) States that no appropriation pursuant to Section 15200 of the Welfare and Institutions Code shall be made for purposes of implementing this act.

Comments

According to the author, "criminalizing parents for their children's truancy ignores the root causes of absenteeism and only deepens family hardships, especially as many immigrant families now fear sending their children to school. AB 461 ensures support and resources to keep students in school and on track for success."

CalWORKs. As the California's version of the federal TANF program, CalWORKs is the state's largest anti-poverty program. CalWORKs provides temporary cash assistance aimed at moving children out of poverty and helping qualified low-

income families meet their basic needs, such as rent, clothing, utility bills, food, and other items needed to ensure children are cared for at home and safely remain with their families. In addition to cash assistance, adult CalWORKs recipients are provided education, employment, and training services designed to help remove barriers to work and promote self-sufficiency. These services are typically outlined in a welfare-to-work plan. CDSS is the designated state agency responsible for program supervision at the state level, and counties are responsible for administering the program at the local level.

Eligibility for CalWORKs is based on family size, income level, and region. Families must show economic hardship through income and asset tests and participation in the program is also time limited. Adults are only allowed to use CalWORKs for 60 months in their lifetime. Children of adults who receive cash aid can continue to receive benefits until they are 18 years old in California. Based on the welfare-to-work plan, families can have cash aid temporarily cut through “sanctions” for not complying with certain required elements of CalWORKs or their plan. According to the California Budget and Policy Center, in 2022, an average of 60,000 children were affected by sanctions. For single parent homes those sanctions averaged a cash aid cut of \$120 and for two parent home a cut of \$235. Aid can be restored but this can be a long and complex process depending on why the sanction happened. One study found that every \$1 in CalWORKs payments lost to families per year would cost society \$8 per year based on the benefits cash brings to families such as increased health and longevity, reductions in crime, and increased future earnings in adulthood.¹

Welfare-to-Work. Adults are who participate in CalWORKs are also required to participate in welfare- to- work activities, unless exempted, which includes: employment, education, job skills training, and/or vocational education, work study on college campuses, on-the-job training, community service, and job retention services, or activities to address or remove barriers like mental health, substance use disorder, and domestic abuse. Eligible families can also receive supportive services like child care, transportation, ancillary expenses, mental health services, substance abuse services, and personal counseling. This bill would expand this program to any child in an assistance unit 16 years old or older to overcome truancy problems. Currently, 16 and 17 year olds participate in welfare-to- work programs if the following apply:

¹ Ananat, Elizabeth, Megan Curran, Irwin Garfinkel, Robert Paul Hartley, Anastasia Koutavas, and Buyi Wang. 2023. The costs of cutting cash assistance to children and families: Changing TANF work requirements could cost society up to \$30 billion per year. Poverty and Social Policy Brief, vol. 7, no. 2. Center on Poverty and Social Policy, Columbia University.

- Non-parenting teens that are chronically truant: Referred to welfare- to-work and the only required activity is to complete high school. There is no hourly requirement.
- Custodial parent teen: Referred to CalLearn. As above, the only activities in CalLearn are to achieve a diploma or equivalent. There are no hourly requirements, however CalLearn includes satisfactory progress requirements and potential sanctions.

CalWORKs Family Stabilization Services. Families who have a member that receive CalWORKs benefits can also be eligible for Family Stabilization Services. These services offer support to families who need them because they are in crisis and need help or resources to participate fully in the welfare- to- work program or other obligations. Services can include intensive case management, treatment, access to emergency shelter, counseling and other services needed to help families with urgent and deep needs. Unlike welfare-to-work requirements, families cannot be sanctioned for an individual's unwillingness to participate in or fully complete Family Stabilization Services. This bill requires county human services agencies to screen families of children that are chronically truant for eligibility for Family Stabilization Services.

Truancy. In California law, truancy is when a student is absent from school without a valid excuse three full days in one school year or tardy or absent for more than any 30-minute period during the schoolday without a valid excuse on three occasions in one school year. Chronic truancy is when a student is absent from school without a valid excuse for 10 percent or more of the schooldays in one school year.

Parents or guardians in a CalWORKs assistance unit can be sanctioned if a child, who is required to attend school, is not attending school and considered chronic truant. Specifically, if the child is 16 years old or older CDSS will remove them from being considered in the calculation of the family's CalWORKs cash grant, effectively decreasing the grant amount. According to 2023 Welfare Data Tracking Implementation Project data, there are an average of 49 adults who receive the CalWORKs truancy penalty annually. This bill would remove the criminal and CalWORKs penalties for families of children that are chronically truant and instead provide supports.

Related/Prior Legislation:

SB 290 (Smallwood- Cuevas, 2025) sunsets the requirement that CalWORKs recipients must provide evidence of vaccination for children under the age of six years old and requires CDSS to provide CalWORKs recipients and applicants information on childhood immunizations and where to access immunizations through fee-for- service Medical providers. SB 290 was held on the Assembly Appropriations suspense file.

AB 1074 (Patel, 2025) makes various changes to CalWORKs sanctions and welfare-to-work policies including requiring that a sanction imposed for failing to verify the immunization of a child ends upon the removal of the child from the assistance unit and their placement into out-of-home care. This bill is pending in the Senate Human Services Committee.

AB 283 (Chu, 2019) would have revised the requirements regarding mandatory school attendance, eliminate the personal belief exemption for immunization within CalWORKs, delete the requirement that the needs of all parents or caretaker relatives in the assistance unit shall not be considered in determining the amount of the monthly grant if immunization documentation is not provided and, instead permit \$50 per month to be withheld from the monthly grant until the required immunization documentation is provided, regardless of the size of the family. This bill was vetoed.

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

According to the Senate Appropriations Committee, Ongoing General Fund costs of \$141,000 annually to increase the cash aid grant for families who currently have a truancy penalty (49 cases); a one-time General Fund administration cost of \$1,000 to recalculate the monthly grant; and a one-time General Fund cost of \$276,000 for automation. Unknown costs to counties for administration. Costs would be potentially reimbursable by the state, subject to a determination by the Commission on State Mandates.

SUPPORT: (Verified 8/29/25)

California State Council of Service Employees International Union (Source)

End Child Poverty California Powered by Grace (Source)

Asian Americans Advancing Justice Southern California

Black Women for Wellness Action Project

California Coalition of California Welfare Rights Advocates

California Partnership to End Domestic Violence
 California State Treasurer
 Californians United for a Responsible Budget
 Child Care Law Center
 Coalition of California Welfare Rights Organizations
 Communities United for Restorative Youth Justice
 County Welfare Directors Association of California
 Courage California
 Debt Free Justice California
 End Poverty in California
 Grace Institute - End Child Poverty in CA
 Initiate Justice
 Mid-city Community Advocacy Network
 Mission Economic Development Agency
 Parent Voices CA
 Parent Voices California
 Project Sparc
 Southeast Asia Resource Action Center
 Vera Institute of Justice
 Western Center on Law & Poverty
 Youth Justice Education Clinic, Center for Juvenile Law and Policy, Loyola Law School

OPPOSITION: (Verified 8/29/25)

None received

ASSEMBLY FLOOR: 60-9, 6/2/25

AYES: Addis, Aguiar-Curry, Ahrens, Alvarez, Arambula, Ávila Farías, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Connolly, Elhawary, Flora, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal, 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, Valencia, Ward, Wicks, Wilson, Zbur, Rivas

NOES: Alanis, Davies, DeMaio, Dixon, Gallagher, Hadwick, Patterson, Tangipa, Wallis

NO VOTE RECORDED: Bains, Castillo, Chen, Ellis, Jeff Gonzalez, Hoover, Lackey, Macedo, Sanchez, Ta

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