
THIRD READING

Bill No: AB 461
Author: Ahrens (D), et al.
Amended: 9/5/25 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

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 levied on families of students who are truant.

Senate floor amendments of 9/5/25 address concerns from administration.

ANALYSIS:

Existing Law:

- 1) 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)

- 2) Requires each person between the ages of 6 and 18 years old, who does not meet specified exemptions, to be subject to compulsory full-time education and must attend a public full-time day school or continuation school or classes for a full school day as designated by the governing school board. (Education Code 48200)
- 3) 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 school day without a valid excuse on three occasions in one school year, or any combination thereof. (Education Code 48260)
- 4) 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)

This bill 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.

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."

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 school day 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.

The statute establishing criminal liability for parents of truant children—Penal Code section 270.1—was enacted via SB 1317 (Leno), Chapter 647, Statutes of 2010. SB 1317 was sponsored by the then-San Francisco District Attorney and modeled after the Office’s truancy initiative. Penal Code section 270.1 also authorized superior courts to establish a deferred entry of judgment program to adjudicate cases involving parents and guardians of students who are chronic truants.

In recent years, there has been a movement away from penalizing truancy, instead focusing on support services. For example, SB 691 (Portantino), Chapter 863, Statutes of 2024, revised truancy notices to include language explaining the importance of attendance and notifying the family of possible services available, including school personnel availability and mental health services, rather than a threatening approach notifying them that they may be prosecuted. This bill would remove the criminal penalties for families of children that are chronically truant.

Related/Prior Legislation

SB 691 (Portantino, Chapter 863, Statutes of 2024) modified to notification received by parents of truant students to remove certain information and adds additional notices including that mental health and supportive services may be available to the pupil and the family and that school personnel are available to meet with the pupil and family to develop strategies to support the pupil’s attendance at school.

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.

SB 1017 (Leno, Chapter 647, Statutes of 2010) defined chronic truant and made any parent of a chronically truant first through eighth grade student potentially guilty of a misdemeanor punishable by a fine not exceeding \$2,000, or by imprisonment in a county jail for a period not exceeding one year, or by both that fine and imprisonment.

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

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 9/5/25)

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 9/5/25)

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

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9/8/25 21:10:26

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