
SENATE COMMITTEE ON HUMAN SERVICES

Senator Becker, Chair
2025 - 2026 Regular

Bill No: SB 1052
Author: Gonzalez
Version: March 26, 2026
Urgency: No
Consultant: Diana Dominguez
Hearing Date: April 6, 2026
Fiscal: Yes

Subject: State Council on Developmental Disabilities: appointing authorized representatives

SUMMARY

This bill would provide that an appointment of an authorized representative made by the State Council on Developmental Disabilities (SCDD) shall be for up to one year and authorizes the SCDD to renew appointments annually. This bill would authorize the SCDD to conduct an investigation to determine whether a person with developmental disabilities will not be properly advocated for without the appointment of an authorized representative. This bill would authorize the SCDD to make contingent appointments of authorized representatives and authorize the SCDD to remove an authorized representative or contingent authorized representative at any time for good cause, as defined.

ABSTRACT

Existing Law:

- 1) Establishes the SCDD with authority independent of any single state service agency. Provides that the SCDD shall serve as an advocate for individuals with developmental disabilities and develop and implement the state plan in accordance with federal requirements, among other responsibilities. (*Welfare and Institutions Code [WIC] 4520; WIC 4540*)
- 2) Authorizes the SCDD to appoint an authorized representative for persons with developmental disabilities to assist the person in making decisions and advocating for their needs, preferences, and choices when the person with developmental disabilities has no parent, guardian, or conservator legally authorized to represent them and the person has either requested the appointment of a representative or the rights or interests of the person, as determined by the SCDD, will not be properly protected or advocated for without the appointment of a representative. (*WIC 4541(a)(1)*)
- 3) Provides that, when there is no guardian or conservator, the person's choice, if expressed, including the right to reject the assistance of a representative, shall be honored. Provides that, if the person does not express a preference, the order of preference for selection of an authorized representative shall be the person's parent, involved family members, or a

volunteer selected by the SCDD. States it is the intent of the Legislature that parents or involved family members shall not be required to be appointed as a guardian or conservator in order to be selected. *(WIC 4541(a)(2))*

- 4) Provides that, unless the person with developmental disabilities expresses otherwise, or good cause otherwise exists, the request of the parents or involved family members to be appointed as the authorized representative shall be honored. *(WIC 4541(a)(2))*

This Bill:

- 1) Provides that appointment of an authorized representative shall be for up to one year.
- 2) Authorizes the SCDD, in order to make a determination of whether a person's rights or interests will not be properly protected or advocated for without the appointment of a representative, to conduct an investigation, including interviewing individuals and reviewing records. Requires the SCDD to obtain consent for the release of information, as specified, prior to accessing any protected records or information.
- 3) Authorizes the SCDD to annually renew the appointment of an authorized representative.
- 4) Authorizes the SCDD to make contingent appointments of authorized representatives. Defines a "contingent authorized representative" as a person identified in advance who may provide assistance to the person if a parent, guardian, or conservator legally authorized to represent them, or the current authorized representative, becomes unavailable to provide that assistance. Provides that the contingent authorized representative shall serve only during the period in which the parent, guardian, or conservator legally authorized to represent them, or the current authorized representative, is unavailable to provide that assistance, and only for the duration of the appointment made by the SCDD.
- 5) Authorizes the SCDD to remove an authorized representative or contingent authorized representative at any time for good cause or if the authorized representative is unwilling or unable to continue serving.
- 6) Requires the SCDD to inform the person with developmental disabilities when an authorized representative or contingent authorized representative has been appointed and provide information about the role of the authorized representative.
- 7) Provides that "good cause" exists when the proposed authorized representative has made, or is likely to make, decisions that are inconsistent with the expressed wishes of the person with developmental disabilities or inconsistent with protecting the person's rights or interests, including, but not limited to, circumstances in which the proposed authorized representative has an actual or perceived conflict of interest that could reasonably interfere with the representative's ability to advocate solely in the interests of the person with developmental disabilities.

FISCAL IMPACT

This bill has not yet been analyzed by a fiscal committee.

BACKGROUND AND DISCUSSION

Purpose of the Bill:

According to the author, “As federal immigration enforcement actions continue targeting our communities, more and more people with disabilities and their families are concerned about the impact of family separations for an individual with intellectual or developmental disabilities (IDD). Much of the time, individuals with IDD receive support from their family to help them navigate the regional center system and advocate for their needs. If their family member is suddenly unable to assist – due to detention, deportation, or other factors – people with IDD might find themselves suddenly without the support they need to get services, potentially resulting in more conservatorships and the loss of legal rights. These concerns are particularly strong among Latino and Spanish-speaking families served by the regional centers, as the federal administration continues to target people based on their ethnicity and language.

“SB 1052 addresses this issue by allowing the State Council on Developmental Disabilities (SCDD) to appoint a “contingent” authorized representative, who can step in to provide advocacy assistance for a person with IDD if their family member or support system is suddenly unable to help. It will also make statutory clarifications about the process for appointing authorized representatives, to ensure transparency and person-centered implementation. Authorized representatives can help people with disabilities in accessing regional center services – from participating in individualized program plan discussions to advocating for the needs and desires of a person with IDD. Authorized representatives do not have authority over legal, financial, or medical decisions.

“This bill provides clear, commonsense safeguards to protect the rights of people with disabilities and ensure they don’t lose the support, stability, and peace of mind they deserve, especially in these difficult times. No family should live in fear of what happens to their loved one with a disability if they are suddenly no longer able to be there to provide support. SB 1052 is an essential step toward protecting some of our most vulnerable communities from the reckless, inhumane immigration enforcement tactics by the federal government.”

Lanterman Act

In 1969, the Lanterman Act established that individuals with developmental disabilities and their families have a right to receive the necessary services and supports required to live independently in the community. The Lanterman Act enumerates the rights of individuals with developmental disabilities, as well as the rights of their families, what services and supports are available to these individuals, and how regional centers and service providers work together to provide these services and supports. The term “developmental disability” is defined as a disability that originates before a person reaches 18 years of age, is expected to continue indefinitely, and is a significant disability for the individual. Such disabilities include, among others: epilepsy, autism spectrum disorder, intellectual disability, and cerebral palsy.

In addition to establishing the rights of individuals, the Lanterman Act also created California's regional center system, comprised of 21 nonprofit regional centers throughout the state whose primary purpose is to connect individuals with services in the community. The Department of Finance estimates that approximately 489,254 individuals will receive developmental services in 2025–26, increasing to 526,848 in 2026–27.¹

Individual Program Plan (IPP)

Services for individuals with intellectual and developmental disabilities are outlined in an IPP, which is developed according to the needs and personal choices of the individual. The IPP is developed by an IPP team, which often includes the consumer, their legally authorized representative, and one or more regional center representatives. The IPP serves as a tool to maximize the opportunities for each consumer to develop relationships, integrate into community life, increase control over their life, and obtain positive roles in the community. The IPP is required to prioritize the services and supports that allow minors to live with their families and adults to live in the community as independently as possible. Regional center consumers receiving traditional services are assigned a service coordinator who is responsible for implementing, overseeing, and monitoring the consumer's IPP.

State Council on Developmental Disabilities

The SCDD is established under state and federal law as an independent state agency to ensure that people with developmental disabilities and their families receive the services and supports they need. The SCDD works to achieve a person-centered and family-based system of individualized services, supports, and other assistance. The SCDD provides trainings for self-advocates, family members, and law enforcement; provides direct problem-solving assistance; and partners with community organizations to expand access to housing, education, employment, and safety; among other activities. The SCDD's current state plan, which spans 2022 to 2026, includes three goals:

- Maintain and/or increase the number of people with intellectual/developmental disabilities that become strong self-advocates, peer trainers and community leaders.
- Lead in partnership with family/self-advocates and others to protect and enhance civil rights to improve community-based systems and be more fully inclusive and supportive of people with intellectual/developmental disabilities and their families.
- Increase partnerships with and support of more people with intellectual/developmental disabilities and their families, so they know their rights and can advocate for and receive supports and services.²

¹ https://www.dds.ca.gov/wp-content/uploads/2026/01/DDS_BudgetHighlights_2026-27.pdf

² <https://scdd.ca.gov/wp-content/uploads/sites/33/2025/08/2022-26-State-Plan-8.13.25-FINAL.pdf>

Authorized Representatives

If a person with developmental disabilities does not have a parent, guardian, or conservator who can help them with regional center advocacy, they can receive assistance from an authorized representative. The authorized representative supports the person with developmental disabilities and represents their interests in regional center matters. This may include developing and signing their IPP, participating in the appeals process, and working with the regional center and the person served to ensure the person with developmental disabilities gets the services they want and need. Authorized representatives are required by law to represent the interests of the person served. Authorized representatives do not have authority over financial decisions, legal matters, medical decisions, or anything else outside the context of regional center services. Additionally, the person with developmental disabilities has the right to refuse the help of the authorized representative. The authorized representative program is considered an alternative to conservatorship.

The SCDD is charged with appointing an authorized representative for a person with developmental disabilities. There is no cost to get an authorized representative. The SCDD has processes to determine when an authorized representative is necessary, choose a representative, and obtain the consent of the person served. An authorized representative can be a parent or involved family member, if the person with developmental disabilities is an adult, or a friend or other volunteer recommended to the SCDD. This bill would codify SCDD practices, including authority to appoint an authorized representative for up to one year and conduct an investigation to make an appointment determination. According to the SCDD, appointments are currently re-evaluated on a case-by-case basis, between every six months to every year. This bill would also define “good cause” as when a proposed authorized representative’s decisions are inconsistent with the expressed wishes of the person served or inconsistent with protecting their rights or interests. Current statute uses the term good cause but does not include a formal definition.

Contingent Authorized Representative

There is no current provision in law for the appointment of a contingent or “backup” authorized representative if the primary authorized representative is unavailable. Fears and risk of a person with developmental disabilities losing access to their support system has risen as federal immigration enforcement activities have increased. In July 2025, the SCDD sent an e-blast to inform their subscribers about the authorized representative program as an option to ensure a person with developmental disabilities gets advocacy assistance if their family member or support system is suddenly unable to help. This email outreach resulted in 150 individuals who sought appointment of an authorized representative for a family member with a developmental disability, with 70% of requests interested in appointment of a contingent authorized representative. This bill would authorize the SCDD to appoint a contingent authorized representative.

Related/Prior Legislation:

AB 495 (Celeste Rodriguez, Chapter 664, Statutes of 2025) authorized a court to appoint a custodial parent and a person nominated by them as joint guardians of the person of the minor if the custodial parent will be temporarily unavailable due to specified circumstances, including, among other things, an immigration-related administrative action.

AB 3291 (Committee on Human Services, Chapter 441, Statutes of 2024) required the IPP planning process to include, when a regional center consumer is being cared for in the family home, no later than the consumer's 22nd birthday, and annually thereafter, a discussion regarding caregiver succession and, under specified circumstances, development of a caregiver succession plan.

AB 1595 (Chesbro, Chapter 409, Statutes of 2014) authorized the SCDD to appoint an authorized representative for a person with developmental disabilities, which was previously a responsibility of the local area board. The bill also revised and recast the responsibilities of the SCDD.

COMMENTS

This bill seeks to strengthen the authorized representative program by codifying certain existing practices and authorizing the SCDD to appoint contingent authorized representatives. This bill would align with the goals of recently enacted bills to ensure continuity of care in cases where a caregiver becomes unavailable. *AB 3291 (Committee on Human Services, 2024)* required the IPP planning process to include caregiver succession planning on an annual basis when a person with developmental disabilities is being cared for in the family home. *AB 495 (Celeste Rodriguez, 2025)* created a joint guardianship process to allow parents facing family separation to designate a joint guardian. Recent actions by U.S. Immigration and Customs Enforcement (ICE) have created a climate of fear among immigrants going to work, seeking medical or emergency services, accessing public programs, or shopping for essential needs. This bill would ensure there is a plan in place to provide continued advocacy support for a person with developmental disabilities if their authorized representative is unable to provide that support.

POSITIONS

Support:

State Council on Developmental Disabilities (Sponsor)
Integrated Community Collaborative (Co-Sponsor)
Advocacy 4 Unique Minds
Association of California State Employees With Disabilities
Association of Regional Center Agencies
Autism Society Los Angeles
Cal-tash
California Disability Services Association
California Down Syndrome Advocacy Coalition
Disability Rights California
Disability Rights Education & Defense Fund (DREDF)
Disability Voices United (DVU)
Frank D Lanterman Regional Center
Marin Center for Independent Living
Neurovantageai

Parents Helping Parents

Pathpoint

Personal Assistance Services Council (PASC)

Self Determined Life

Special Needs Network, INC.

St. Madeleine Sophie's Center

The Arc and United Cerebral Palsy California Collaboration

The Arc Los Angeles and Orange Counties

The Down Syndrome Association of Los Angeles

Oppose:

None received

-- END --