
SENATE COMMITTEE ON APPROPRIATIONS

Senator Sabrina Cervantes, Chair
2025 - 2026 Regular Session

SB 1052 (Gonzalez) - State Council on Developmental Disabilities: appointing authorized representatives

Version: March 26, 2026
Urgency: No
Hearing Date: April 20, 2026

Policy Vote: HUMAN S. 4 - 0
Mandate: No
Consultant: Agnes Lee

Bill Summary: SB 1052 would make changes to provisions related to the appointment of authorized representatives for persons with developmental disabilities.

Fiscal Impact: The State Council on Developmental Disabilities (SCDD) estimates ongoing annual General Fund costs of \$380,000 for implementation.

Background: 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 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.

Current law permits the SCDD to appoint an authorized representative for persons with developmental disabilities according to the following:

- To ensure the protection of civil and service rights of persons with developmental disabilities, the SCDD may appoint a representative to assist the person in expressing his or her desires and in making decisions and advocating his or her needs, preferences, and choices, when the person with developmental disabilities has no parent, guardian, or conservator legally authorized to represent him or her 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 without the appointment of a representative.
- When there is no guardian or conservator, the individual's choice, if expressed, including the right to reject the assistance of a representative, must be honored. If the person does not express a preference, the order of preference for selection of the representative must be the person's parent, involved family members, or a volunteer selected by the SCDD. In establishing these preferences, it is the intent of the Legislature that parents or involved family members not be required to be appointed guardian or conservator in order to be selected. 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 the representative must be honored.

Proposed Law: Specific provisions of the bill would:

- Limit the SCDD's appointment of an authorized representative for up to one year, as specified.
- Allow the SCDD to annually renew the appointment of an authorized representative.
- Allow the SCDD to make contingent appointments of authorized representatives, as specified.
- Require 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.
- Allow 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.

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