

Date of Hearing: August 5, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

SB 1234 (Alvarado-Gil) – As Amended July 2, 2026

Policy Committee:	Judiciary	Vote:	12 - 0
	Human Services		6 - 0

Urgency: No State Mandated Local Program: Yes Reimbursable: No

SUMMARY:

This bill requires a juvenile court that finds a risk of fentanyl use by a parent or guardian whose child has been removed from the home to order the parent or guardian to submit to testing for fentanyl and require fentanyl-related resources be included in the parent or guardian's case plan.

Specifically, this bill:

- 1) Requires a juvenile court that finds, based on specified evidence, a risk of fentanyl use by a parent or guardian whose child has been removed from the home to order the parent or guardian to submit to testing for fentanyl.
- 2) If the court makes a finding of risk of fentanyl use by a parent or guardian, requires the case plan for that parent or guardian to include:
 - a) Information on the proper storage of controlled substances and prescription medications in a manner inaccessible to children, including, where appropriate, a lock box or other secure storage device.
 - b) Access to fentanyl test strips and education on their use, consistent with resources available through the Naloxone Distribution Project or successor program under the State Department of Public Health.
 - c) Access to naloxone and training on its administration for all adult members of the household.
 - d) Referral to an in-home safety assessment to identify and remediate accessible drug paraphernalia or residue in areas of the home where the child has access.
- 3) Specifies a social worker is not required to verify compliance with item 2, above, as a condition of reunification, or to alter any other requirement otherwise applicable to the disposition of the case.
- 4) Requires a social worker, if an investigation to determine whether child welfare services should be offered and whether proceedings in the juvenile court should be commenced involves an allegation that a parent or guardian has used or is under the influence of fentanyl or other opioids, to document whether the risk of fentanyl or opioid exposure to the child was

specifically assessed, separate from any general assessment of substance use, as part of the disposition determination required by existing law.

- 5) Specifies the provision in item 4, above, does not require the social worker to refer the family for child welfare services or to commence proceedings in the juvenile court.

FISCAL EFFECT:

- 1) The California Department of Social Services (CDSS) estimates ongoing General Fund (GF) administrative costs to counties of approximately \$2.5 million annually beginning in fiscal year 2027-28, including \$577,000 for additional fentanyl testing for parents or guardians found to be at risk of fentanyl use, \$633,000 for county social workers to update case plans as necessary to include information on fentanyl safety, and \$1.3 million for social workers to document the risk of fentanyl exposure for investigations with alleged fentanyl or other opioid use.

Although these are state-mandated costs, they are not reimbursable, but instead must be funded by the state pursuant to Proposition 30, which requires legislation enacted after September 30, 2012, that has an overall effect of increasing the costs already borne by a local agency for programs or levels of service mandated by realignment (including child welfare services and foster care) to apply to local agencies only to the extent the state provides annual funding for the cost increase.

- 2) Ongoing minor costs to the juvenile courts (Trial Court Trust Fund, GF) to make additional findings of risk of fentanyl use and order testing.

COMMENTS:

- 1) **Purpose.** According to the author:

This measure is intended to honor the memory of children who have tragically lost their lives due to fentanyl poisoning and to recognize the profound impact these losses have had on families and parents across communities. [This bill] addresses a critical gap in existing law by ensuring that when a juvenile court finds a risk of fentanyl use by a parent or guardian in dependency proceedings, the court may obtain information necessary to assess that risk through drug testing. Existing law does not specifically address situations in which there is a concern regarding fentanyl use, despite the unique dangers posed by this highly potent synthetic opioid.

- 2) **Background. *Juvenile Court Orders.*** Existing law requires a social worker who has cause to believe a child meets the requirements to be adjudged a dependent of the court to immediately conduct an investigation to determine whether child welfare services should be offered to the family and whether proceedings in the juvenile court should be commenced. Existing law and regulations require a social worker to collaborate with parents to create an initial case plan within 30 days of a child being taken into protective custody.

If a child is formally adjudged a dependent of the court, existing law authorizes a court to make any reasonable orders to the parents or guardians of the child as the court deems

necessary and proper, which may include counseling services, whether for substance abuse or family counseling, and testing for controlled substances. When substance use is a basis for removal, the case plan typically includes substance use disorder treatment, and testing is used to verify compliance and progress.

Counties are responsible for providing access to court-ordered drug testing in juvenile dependency cases. Counties typically contract with a testing provider for standardized drug panel templates. Existing law does not require specific substances be included, and these panels may or may not include specific testing for fentanyl.

According to the California Welfare Directors Association, a testing provider typically works with parents on substance abuse counseling and treatment to regularly test for alcohol or other substances as part of that parent's reunification services. Some counties require fentanyl be included in the testing panel, others will request it upon suspicion of fentanyl use, while others do not include it at all.

This bill requires a judge to order a parent to submit to testing for fentanyl if the juvenile court finds a risk of fentanyl use and requires the case plan to include information and resources associated with fentanyl use.

Prevention. According to the Assembly Human Services Committee's analysis, "several cases of the deaths of children in California related to fentanyl involved children who died before a dependency case existed." The analysis explains, "Child welfare policy has historically focused more on responding to harm after it occurs than on preventing it in the first place, but recent shifts have emphasized the importance of preventing families from coming into care."

To facilitate identifying a parent who has used or is under the influence of fentanyl or other opioids before a child is removed from the home, this bill requires a social worker to document whether a risk of fentanyl or opioid exposure to the child was separately assessed as part of the disposition determination when an initial investigation involves an allegation of fentanyl or opioid use by the parent.

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