

Date of Hearing: June 24, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

SB 1264 (Valladares) – As Amended March 23, 2026

Policy Committee: Judiciary Vote: 12 - 0

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

SUMMARY:

This bill requires a general personal representative or estate attorney with actual knowledge that a child of the decedent, who is an heir or a beneficiary of the estate, has a child support obligation under a court order of competent jurisdiction to report that obligation to the Department of Child Support Services (DCSS) director. The representative or attorney must report within 90 days after the court issues letters appointing a general personal representative. The bill specifies that it does not impose a duty on a personal representative or estate attorney to investigate whether a decedent or a child of the decedent is subject to a child support order.

FISCAL EFFECT:

Minor and absorbable costs to DCSS. DCSS reports that local child support agencies and DCSS may require additional resources if there is a significant increase in probate notifications delivered to DCSS. However, such an increase is unlikely.

COMMENTS:

A probate petition refers to the formal court adjudication of someone's estate when they pass away, and results in the distribution of property identified in the estate. When a probate petition is filed, existing law requires notice to be provided to various public entities, such as the California Victim Compensation Board and the Franchise Tax Board, when the estate representative knows or has reason to believe that the decedent received a benefit or had a financial obligation to an agency.

Last year the Legislature enacted a law requiring a personal representative or estate attorney to also provide notice to DCSS when a probate petition is filed after the passing of an individual with a valid child support order (AB 1521 (Assembly Committee on the Judiciary), Chapter 200, Statutes of 2025). An earlier version of that bill included a notice requirement when a beneficiary of the decedent has a valid child support order. Stakeholders raised implementation concerns regarding the beneficiary notice provision, and the provision was removed from the enacted version of that bill. This bill, sponsored by the California Child Support Association (CalCSA), enacts the notice requirement while resolving previous concerns; it requires a personal representative or estate attorney to provide notice to the DCSS when filing a probate petition if the representative has actual knowledge that a child of the decedent who is a beneficiary of the estate has a valid child support order. This bill provides DCSS greater opportunity to collect on outstanding child support orders.

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