

Date of Hearing: June 30, 2026

ASSEMBLY COMMITTEE ON HUMAN SERVICES

Alex Lee, Chair

SB 1345 (Wahab) – As Amended April 9, 2026

SENATE VOTE: 33-0

SUBJECT: Foster children: rights of foster youth

SUMMARY: Expands the Foster Youth Bill of Rights to guarantee a foster child or nonminor dependent (NMD) reasonable access to and use of their personal belongings, and to require that belongings be transported during placement changes in a manner that preserves the youth's property and dignity, including through the use of suitcases, duffel bags, backpacks, or moving boxes rather than trash bags. Specifically, **this bill:**

- 1) Expands the existing right to private storage space to also guarantee a foster child or NMD reasonable access to and use of their personal belongings, clothing, and personal items.
- 2) Establishes the right to have personal belongings transported during placement changes and other moves in a manner that preserves the youth's property and dignity, including through the use of suitcases, duffel bags, backpacks, and moving boxes rather than trash bags or other inappropriate receptacles.

EXISTING LAW:

- 1) Establishes a bill of rights for all children placed in foster care, whether placed voluntarily or after being adjudged a dependent or ward of the juvenile court. (Welfare and Institutions Code [WIC] § 16001.9(a))
- 2) Extends those rights to NMDs in foster care, except where a right conflicts with a NMD's retention of their legal decision-making authority as an adult. (WIC § 16001.9(a))
- 3) Provides that a foster child has the right to live in a safe, healthy, and comfortable home where they are treated with respect. (WIC § 16001.9(a)(1))
- 4) Provides that a foster child has the right to have storage space for private use. (WIC § 16001.9(a)(9))
- 5) Provides that a foster child has the right to be free from unreasonable searches of personal belongings. (WIC § 16001.9(a)(10))
- 6) Requires that a foster child be informed of these rights in an age- and developmentally-appropriate manner and be provided a copy of the rights at the time of placement, at any placement change, and at least once every six months. (WIC § 16001.9(a)(40))
- 7) Provides that these rights are broad expressions of the rights of children in foster care and are not exhaustive of all rights set forth in the federal and state Constitutions, statutes, and case law. (WIC § 16001.9(b))

- 8) Clarifies that the section does not require a foster care provider to take any action that would impair the health and safety of children in out-of-home placement. (WIC § 16001.9(c))

FISCAL EFFECT: This bill was keyed non-fiscal by the Legislative Counsel.

The Senate Rules Committee referred this bill to the Senate Appropriations Committee on April 8, 2026. According to the Senate Appropriations Committee on May 4, 2026, the California Department of Social Services (CDSS) estimates one-time General Fund contract costs, likely hundreds of thousands, for the Office of the Foster Care Ombudsperson to redesign and reprint materials.

COMMENTS:

Background: *History and Evolution of the Foster Youth Bill of Rights.* The Foster Youth Bill of Rights codifies an enumerated list of rights held by every child and NMD in foster care. The concept began as a comparatively short statement of basic guarantees for a safe and respectful home, freedom from abuse, contact with family, and access to education, and has been amended repeatedly over the past two decades to add population- and harm-specific rights.

Subsequent iterations of these rights over the past two decades have been codified in response to documented, recurring failures in practice as it relates to rights tied to gender identity, preferred name and pronoun use, and culturally competent care for LGBTQ youth. Specific rights for Indian children were added to conform with the federal Indian Child Welfare Act and tribal affiliation; reproductive and sexual health access has been addressed; educational stability and school-of-origin protections were included, as well as the right of a foster youth to access their own records. These rights are intended to both provide an enforceable standard for foster youth and serve as a directive to caregivers, social workers, and probation officers, who are required to provide each child a copy of these rights at placement and at every placement change.

This bill builds on that premise by specifically guaranteeing a foster youth reasonable access to and use of their personal belongings, clothing, and personal items and establishing the right to have personal belongings transported during placement changes and other moves in a manner that preserves the youth's property and dignity, including through the use of suitcases, duffel bags, backpacks, and moving boxes rather than trash bags or other inappropriate receptacles.

The Role of the Office of the Foster Care Ombudsperson (Office). The Office is an autonomous entity within CDSS and is required to translate the Foster Youth Bill of Rights into an accessible format to ensure they reach foster youth. Since the enactment of the Foster Youth Bill of Rights in 2001, the Office has disseminated information on the rights and, in consultation with the County Welfare Directors Association, the Chief Probation Officers of California, tribes, foster youth advocates, and others, has developed standardized, age-appropriate materials explaining them. The Office also provides training and technical assistance on the rights of foster youth, social workers, probation officers, and tribal child welfare agencies, and at the end of each two-year legislative session, reviews amendments to foster youth law and determines whether the compiled list of rights should be updated. The Office also designs the Bill of Rights posters that facilities licensed for six or more children must post, which include the Office's toll-free number. The Office also investigates and attempts to resolve complaints regarding whether those rights have been violated. The materials the Office develops are the ones counties, probation officers,

and care providers use to inform each child of their rights and are required to provide to youth via written copy at placement, at every placement change, and at least once every six months.

Author’s Statement: According to the Author, “In California, more than 35,000 children live in the foster care system. When a youth enters foster care, the experience is accompanied by profound mental and emotional trauma that disrupts relationships, schooling, and a child’s sense of identity. Placement instability is a significant issue for foster youth, and research shows that unplanned or poorly managed transitions can exacerbate the trauma and loss that children in foster care already experience.

“Across the state, reports have revealed how some foster youth are unable to access their clothing and personal belongings, often forced to wear the same clothes for extended periods, while others experience moves where their belongings are hastily packed into trash bags, with items lost, damaged, or left behind. These practices, both unacceptable and damaging, send a harmful message to foster youth that their belongings, and by extension their identity and experiences, do not matter.

“As dependents of the state, youth in foster care rely upon California to ensure not only their safety, but their dignity. Restricting access to personal items and handling belongings in a manner associated with refuse undermines that obligation. Establishing a clear and enforceable right to reasonable access and dignified transportation of belongings provides foster youth with the dignity they deserve. [This bill] reinforces the responsibility of county welfare agencies to prevent unnecessary trauma, promotes consistent practice across California, and emphasizes that foster youth deserve respect like any other child.”

Equity Implications: The Foster Youth Bill of Rights includes rights related to dignity, personal belongings, and participation in case planning. Existing law also requires counties to develop placement transition planning protocols, including consideration of the child’s needs and relationships during placement changes. However, current law does not specifically ensure that youth can maintain access to and use of their belongings in daily life, nor does it clearly define expectations for how belongings are handled during placement changes. Placement instability is not evenly distributed across the foster care population, and children with more placement changes have an increased possibility of experiencing the loss of their belongings more frequently.

This bill may address inequity between foster children and their peers who are not in care. A child living with their family is not typically handed a trash bag when the household relocates. By guaranteeing both continued access to belongings and dignified transport during moves, *the bill* extends to foster youth a standard of treatment their non-system peers likely take for granted.

Arguments in Support: The sponsor, Youth Law Center, writes, “Youth report being limited to only a few days’ worth of clothing even when placements extend for weeks, or having belongings stored out of reach. Others describe being moved with little warning, with their belongings packed in trash bags, often resulting in loss, damage, or humiliation. These are not small issues. They are experiences that shape how young people see themselves and their place in the world. When we take away a young person’s access to their belongings, we are not just limiting items, we are disrupting identity, stability, and dignity. When the system treats a child’s life like it can be packed into a trash bag, it sends a message that the child does not matter.”

Arguments in Opposition: None on file.

RELATED AND PRIOR LEGISLATION:

AB 896 (Elhawary), Chapter 564, Statutes of 2025, required each county to adopt a placement transition planning policy and requires CDSS to issue guidance to county child welfare agencies to describe best practices and strategies for successful placement transition planning.

AB 1735 (Bryan), Chapter 405, Statutes of 2022, clarified in the Foster Youth Bill of Rights that youth have the right to be provided a copy of the Foster Youth Bill of Rights in their primary language. Added to the Foster Youth Bill of Rights, the right of foster youth to receive a copy of the court report, case plan, and transition to independent living plan in their primary language.

AB 317 (Patterson), Chapter 293, Statutes of 2021, clarified the role of the Office and allowed the Ombudsperson to notify the dependency counsel of a complaint; limited investigations to those reasonably related to the complaint and to foster care; and added other lawful court orders to ways the Ombudsperson may access sealed records for the purpose of an investigation.

AB 175 (Gipson), Chapter 417, Statutes of 2019, among other things, made changes to the Office's responsibilities including collection and sharing of data related to the complaints by or on behalf of children placed in foster care, including a requirement that California Department of Education share education rights complaints with the Office; requiring the materials used to inform foster children and youth of their rights be disseminated by the Office.

AB 2119 (Gloria), Chapter 385, Statutes of 2018, clarified that a foster youth's right to be involved in the development of their own case plan and plan for permanent placement includes, but is not limited to, the development of case plan elements related to placement and gender affirming health care, with consideration of gender identity.

AB 2247 (Gipson), Chapter 674, Statutes of 2018, required a social worker or placement agency to implement a placement preservation strategy prior to changing a dependent child's placement, and required at least 14 days' written notice to be given prior to a placement change, except in instances where delayed placement or prior notice of a placement change would endanger a child's health or safety or where all specified parties have agreed to waive these requirements.

AB 1067 (Gipson), Chapter 851, Statutes of 2016, included probation-supervised foster youth, and accompanying responsibilities for probation officers, in provisions of current law stipulating certain processes, requirements, and timelines regarding placement changes for foster youth who are dependents of the court.

SB 731 (Leno), Chapter 805, Statutes of 2015, added the right of foster children and NMDs to be placed in out-of-home care according to their gender identity, regardless of the gender or sex listed in their court or child welfare records, and required CDSS to adopt implementing regulations.

AB 899 (Liu), Chapter 683, Statutes of 2001, adopted California's Foster Youth Bill of Rights and required social workers and probation officers to periodically inform children of these rights in an age-appropriate manner; the Office to, in consultation with stakeholders, develop and

disseminate information on these rights; and any facility licensed to provide foster care for six or more children to post a listing of these rights.

REGISTERED SUPPORT / OPPOSITION:

Support

Youth Law Center (Sponsor)
Alameda County Democratic Party
Alliance for Children's Rights
California State PTA
California Youth Empowerment Network
County Welfare Directors Association of California

Opposition

None on file.

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