

Date of Hearing: April 29, 2025

ASSEMBLY COMMITTEE ON HUMAN SERVICES

Alex Lee, Chair

AB 798 (Calderon) – As Amended April 22, 2025

SUBJECT: State Emergency Food Bank Reserve Program: diapers and wipes

SUMMARY: Requires the State Emergency Food Bank Reserve (SEFBR) Program to provide children's diapers and wipes, provide funding for the provision of children's diapers and wipes, and reimburse food banks for children's diapers and wipes during natural or human-made disasters. Specifically, **this bill:**

- 1) Requires the SEFBR Program to provide children's diapers and wipes and funding for the provision of emergency children's diapers and wipes during natural or human-made disasters.
- 2) Authorizes funds distributed to be used to purchase and distribute children's diapers and wipes in eligible communities and to reimburse food banks for children's diapers and wipes and the costs associated with the procurement and distribution of children's diapers and wipes in eligible communities.
- 3) Makes the following findings and declarations:
 - a) Diapers are essential for the health and well-being of babies and toddlers, yet one in two families in the United States (U.S.) struggles to afford diapers;
 - b) A lack of diapers is not only a public health issue, but also an obstacle to economic mobility for low-income families;
 - c) Diapers alone can cost approximately \$100 or more per month per child, or approximately 4% or more of a person's total income if they are making California minimum wage, with low-income families disproportionately experiencing the burden;
 - d) One in four parents or caregivers who rely on childcare services and who do not have enough diapers often cannot drop their children off at childcare, leading to missed days at work and school, missed early education opportunities for toddlers, and an increased likelihood of painful rashes and infections;
 - e) The benefit programs CalFresh and the California Special Supplemental Nutrition Program for Women, Infants, and Children (WIC Program) do not provide diaper aid;
 - f) In April 2018, the California Work Opportunity and Responsibility to Kids (CalWORKs) program began providing diaper aid as a supportive service, to a person participating in a welfare-to-work (WTW) plan, in the amount of \$30 per month for each child of a certain age range;
 - g) Diapers are the fourth greatest cost burden for many families;

- h) According to the Department of Forestry and Fire Protection, California's nine largest wildfires have occurred within the last decade. Two of the most destructive fires, categorized by structures destroyed, include the 2025 Palisades and Eaton fires. Furthermore, California's Fourth Climate Change Assessment notes that, by 2100, the frequency of extreme wildfires burning over approximately 25,000 acres could increase by nearly 50%; and,
- i) Expanding the geographic reach of the state's diaper distribution efforts will address diaper need in California, especially for vulnerable families, while leveraging and strengthening existing safety-net investments.

EXISTING LAW:

- 1) Defines "state of emergency" to mean the duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions such as air pollution, fire, flood, storm, epidemic, riot, drought, cyberterrorism, sudden and severe energy shortage, electromagnetic pulse attack, plant or animal infestation or disease, the Governor's warning of an earthquake or volcanic prediction, or an earthquake, or other conditions, other than conditions resulting from a labor controversy or conditions causing a "state of war emergency," which, by reason of their magnitude, are or are likely to be beyond the control of the services, personnel, equipment, and facilities of any single county, city and county, or city and require the combined forces of a mutual aid region or regions to combat, or with respect to regulated energy utilities, a sudden and severe energy shortage requires extraordinary measures beyond the authority vested in the Public Utilities Commission. (Government Code [GOV] § 8558(b))
- 2) Provides that the Governor is hereby empowered to proclaim a state of emergency in an area affected or likely to be affected thereby when:
 - a) He finds that circumstances described in 1) above exists; and either,
 - b) He is requested to do so in the case of a city by the mayor or chief executive, or in the case of a county by the chairman of the board of supervisors or the county administrative officer; or,
 - c) He finds that local authority is inadequate to cope with the emergency. (GOV § 8625)
- 3) Requires, subject to an appropriation, the California Department of Social Services (CDSS) to administer the SEFBR Program to provide food and funding for the provision of emergency food and related costs to food banks serving low-income Californians to prevent hunger during natural or human-made disasters. (Welfare and Institutions Code [WIC] § 18995.1(a)(1))
- 4) Authorizes CDSS, upon a proclamation or declaration of a disaster or state of emergency by the governing body of a county, city, or city or and county, or by an official designated by ordinance adopted by that governing body, the state, or the federal government, to distribute funds for the purposes set forth in 5) below. Further requires CDSS to determine the best method for distribution to ensure the funds are used for the purposes of the SEFBR Program. (WIC § 18995.1(b))

- 5) Authorizes funds distributed pursuant to 3) above to be used to purchase and distribute food in eligible communities and to reimburse food banks for food and the costs associated with the procurement and distribution of food in eligible communities. (WIC § 18995.1(c))
- 6) Requires, on and after April 1, 2018, a CalWORKs participant who is participating in a WTW plan is eligible for \$30 per month to assist with diaper costs for each child who is under 36 months of age. (WIC § 11323.2(a)(2))
- 7) Requires the family fee schedule to provide, among other things, that a contractor or provider may require parents to provide diapers. (Education Code § 8254)
- 8) Requires an infant to be kept clean and dry at all times. Further requires the infant care center to ensure that the infant has sufficient changes of clothing and diapers so that the infant's clothing and diapers can be clean and dry at all times. (22 California Code of Regulations § 101428(b))
- 9) Provides that on and after January 1, 2020, there are exempted from the taxes imposed by the sales and use taxes the gross receipts from the sale in this state of, and the storage, use, or other consumption in this state of, diapers designed, manufactured, processed, fabricated, or packaged for use by infants, toddlers, and children. (Revenue and Taxation Code § 6363.9)

FISCAL EFFECT: Unknown, this bill has not been analyzed by a fiscal committee.

COMMENTS:

Background: *Diaper Insecurity.* Diaper insecurity is a widespread yet often overlooked challenge for families with young children, particularly those with low incomes. In California, approximately one in two families struggles to afford an adequate supply of diapers. For families living paycheck to paycheck, the high cost of diapers—often exceeding \$100 per month per child—can consume a significant portion of their income. For someone earning minimum wage in California, this expense can represent over 4% of their total earnings, placing a substantial financial strain on household budgets. This burden is especially acute for single parents, caregivers of multiple children, and families already facing other material hardships.

To cope with the high cost of diapers and wipes, many caregivers are forced to take desperate measures, including borrowing money from friends or family, stretching time between changes, reusing soiled diapers, using diapers that no longer fit, or even leaving children without diapers to make their limited supply last longer. These practices not only put children's health at risk, but can also lead to reports of neglect to Child Protective Services, potentially resulting in involvement with the child welfare system, adding further strain to families already struggling to meet basic needs.

When caregivers cannot keep children clean, dry, and healthy, the consequences go beyond hygiene. Studies show that diaper shortages increase the risk of diaper rash and painful infections, which can lead to medical visits and additional financial burdens. Diaper need is not only a public health issue, but also a significant barrier to economic stability.

Parents who rely on childcare services often cannot leave their children without a sufficient diaper supply for attendance, leading to, on average, four missed days of work or school per month for caregivers, lost wages, missed educational opportunities for children, and increased

stress, further deepening cycles of poverty and economic insecurity. Over half (56%) of parents using childcare for work have missed work due to not having enough diapers.

Safety-Net Gaps. Despite the essential nature of diapers for infant and toddler health, hygiene, and access to childcare, major public assistance programs do not cover the cost of diapers or wipes. Programs such as CalFresh, Medi-Cal, and WIC provide critical support for food and nutrition, but explicitly excluding diaper products from their benefits. This exclusion creates a significant gap in support for low-income families, many of whom are already stretched thin by the rising cost of living. While the CalWORKs program began offering a modest diaper reimbursement in 2018 through AB 480 (Gonzalez Fletcher), Chapter 690, Statutes of 2019—\$30 per month per child—it is only available to participants engaged in WTW activities and who have a child under 36 months, leaving out many families who do not qualify under those criteria. As a result, many caregivers are left without any reliable source of assistance for diaper needs, despite their importance to children’s health and a family’s ability to engage in work or educational opportunities. This structural gap in aid underscores the need for targeted programs that can fill this essential but unmet need, particularly during times of crisis or heightened vulnerability.

Diaper Distribution Programs. In 2021, the Legislature established the Diaper Bank Program through the Budget Act, allocating \$30 million one-time over three years to CDSS to provide grants for distributing diapers to low-income families with infants and toddlers. These funds supported costs related to the storage, handling, and transportation of diapers, and distribution was conducted through eight food banks: Central California Food Bank, Jacobs and Cushman San Diego Food Bank, Los Angeles Regional Food Bank, Help a Mother Out, Community Action Partnership of Orange County, Sacramento Food Bank & Family Services, Community Action Partnership of San Bernardino, and Redwood Empire Food Bank. This funding expired June 30, 2024, but was extended to June 30, 2025, with a \$9 million one-time allotment, which is the minimum funding needed to distribute free diapers and wipes through 11 diaper banks: Food Share Ventura County, Second Harvest Food Bank of Santa Cruz, and Food Bank of Contra Costa and Solano were later added on. Most diaper banks had quickly exhausted their annual state funding due to high levels of need. Notably, over 60% of distributed diapers were size four or larger, showing that families with toddlers rely heavily on these services. At that time, the Diaper Bank Program had reached over 1 million families with 1.6 million infants. In total, the program had distributed over 160 million diapers. There are current efforts to extend the Diaper Bank Program for an additional year.

Food banks may be natural partners for diaper distribution, as they already serve populations that are both food insecure and unable to afford necessities like diapers. These organizations are part of the national emergency food system, which includes soup kitchens and food pantries, and they already manage the distribution of U.S. Department of Agriculture commodities based on income and geographic eligibility. Many low-income parents—often working adults—depend on diaper banks, especially when missing work due to a lack of diapers becomes a barrier to economic stability. Additionally, California’s existing network of diaper banks and partner agencies plays a critical role in meeting the ongoing need for diapers among low-income families. These organizations distribute diapers consistently through a variety of trusted locations, including diaper banks, food banks, federally qualified health centers, county social services offices, WIC programs, and other community-based organizations.

Building on this foundation, the Governor’s proposed 2025-26 Budget includes a \$7 million new initiative to provide families with a three-month supply of diapers upon leaving the hospital. Many hospitals are already engaged with diaper banks through earlier rounds of state funding, and the California Association of Diaper Banks is exploring how this infrastructure can be expanded to support hospital-based distribution statewide. The Governor’s proposal also suggests applying the CalRx model—originally designed to reduce pharmaceutical costs through state purchasing power—to the diaper market, with the goal of lowering diaper prices and expanding access.

At the federal level, a small pilot program was launched in September 2022 by the Office of Community Services, in partnership with the Office of Planning, Evaluation, and Research. Known as the Diaper Distribution Demonstration and Research Pilot, it was the first federally funded diaper assistance program. Since its inception, it has expanded through four cohorts, allocating a total of \$40.2 million in grants to address diaper need across 24 states and 4 tribal communities. In California, the California Community Action Partnership Association received \$1.2 million to coordinate statewide efforts, partnering with local agencies to distribute diapers and connect families to additional support services, such as job training, education, Early Head Start, and housing support.

Natural Disasters. California is experiencing increasingly frequent and severe natural disasters as a direct result of climate change, with profound impacts on families—especially those with young children. The state has seen its nine largest wildfires within the past decade, including the devastating 2025 Palisades and Eaton fires, which destroyed thousands of structures and displaced thousands of residents. According to California’s Fourth Climate Change Assessment, the frequency of extreme wildfires burning over 25,000 acres is projected to increase by nearly 50% by the end of the century. Alongside wildfires, the state faces other climate-driven disasters such as floods, mudslides, heatwaves, and earthquakes, all of which can disrupt supply chains, displace communities, and restrict access to basic necessities.

Families with infants and toddlers are especially vulnerable during these emergencies, as evacuations and displacement often limit access to essential items like diapers and wipes. Shelters and emergency aid centers may not have sufficient supplies to meet the specific needs of young children, placing additional stress on parents already navigating the trauma of disaster. These climate events magnify existing economic and social vulnerabilities, making it even more urgent for the state to have infrastructure in place to respond to the unique needs of families during and after disasters. By acknowledging the growing frequency and intensity of natural disasters, *this bill* aims to address these gaps, ensuring that families can access critical supplies when they need them most.

State Emergency Food Bank Reserve Program. The SEFBR, originally known as the State Disaster Food Assistance Program, is California’s only state-funded emergency food distribution program. It was created in response to the growing frequency and intensity of natural and human-caused disasters in 2019 to support families facing sudden displacement and economic hardship. Administered by CDSS, the SEFBR is designed to ensure that food assistance can be deployed rapidly to communities impacted by emergencies such as wildfires, floods, and power shutoffs, particularly during the early stages of disaster response. Unlike federal relief programs, which are often delayed, require infrastructure restoration, or are not activated at all, the SEFBR fills critical gaps by delivering immediate support when it is most urgently needed.

The SEFBR allows CDSS to stock and distribute pre-packed food boxes and reimburse food banks for emergency-related expenses. These resources are critical in bridging gaps for families who suddenly lose access to food and basic supplies. For example, during the 2022 Six Rivers Fire, CDSS delivered 1,650 cases of emergency food to Humboldt County's local food bank, ensuring uninterrupted support to displaced residents. The Second Harvest Food Bank of Santa Cruz County also relied on the program to support evacuees during atmospheric river storms and levee breaches in early 2023. Between 2019 and 2023, the program has delivered nearly 13,000 emergency food boxes and reimbursed food banks up to \$50,000 each for disaster-related operations.

This bill expands the SEFBR to include the provision of children's diapers and wipes during natural or human-made disasters. *This bill* also requires the program to supply and fund emergency diaper and wipe distribution and authorize the use of funds to purchase, distribute, and reimburse food banks for both the supplies and associated distribution costs in eligible communities.

Author's Statement: According to the Author, "Children need diapers from the day they are born, and infants experience negative health outcomes without them. Unmet diaper needs are not only a public health issue, but also a barrier to economic mobility for families. Diapers cost approximately \$100/month per child and this cost can be exacerbated during times of crisis.

"[This bill] adds children's diapers and wipes to the State Emergency Food Bank Reserve Program, which would assist families with infants or toddlers during a Governor-declared state of emergency. During such emergencies, such as the 2025 LA County wildfires, Californians shouldn't have to choose between basic necessities and providing diapers for their children. [This bill] ensures they don't have to."

Equity Implications: Diaper need disproportionately affects low-income families, single parents, and communities of color, groups that are also more likely to experience the compounding impacts of natural and human-made disasters. These families often lack the resources to stockpile basic necessities and face greater barriers to accessing emergency aid quickly.

By explicitly including diapers and wipes, *this bill* seeks to ensure that the needs of infants and toddlers, who are among the most vulnerable during crises, are not overlooked. Supporting access to diapers and wipes promotes health equity by reducing preventable conditions like diaper rash and infections, which can worsen in post-disaster environments where healthcare access may be limited.

RELATED AND PRIOR LEGISLATION:

AB 161 (Committee on Budget), Chapter 46, Statutes of 2024, among other things, subject to appropriation, required CDSS to administer another food assistance program, SEFBR, to provide food and funding for the provision of emergency food and related costs to food banks serving low-income Californians to prevent hunger during natural or human-made disasters, as prescribed, and defined "food banks" to mean participating providers operating in California under the federal Emergency Food Assistance Program or the federal Commodity Supplemental Food Program, members of the nonprofit organization Feeding America that are based in California, and members of the California Association of Food Banks.

SB 108 (Weiner), Chapter 35, Statutes of 2024, among other things, appropriated \$9 million from the General Fund for CDSS to fund local diaper and wipe distributions for low-income families with infants or toddlers.

AB 1015 (Calderon) of 2023, would have established a statewide diaper and wipe distribution program under CDSS for qualifying low-income families. *AB 1015 was vetoed by Governor Newsom.*

AB 128 (Ting), Chapter 21, Statutes of 2021, allocated \$30 million to CDSS to provide grants to organizations to provide diapers to low-income families with infants or toddlers.

SB 92 (Committee on Budget and Fiscal Review), Chapter 34, Statutes of 2019, as part of the 2019 Budget Act, exempted from sales and use tax the gross receipts from the sale in this state of, and the storage, use, or other consumption in this state of, diapers for infants, toddlers, and children, and menstrual hygiene products.

AB 480 (Gonzalez Fletcher), Chapter 690, Statutes of 2017, included a \$30-per-month benefit to assist with diaper costs for each child under three years old as a necessary supportive service pursuant to CalWORKs participant's WTW plan, required CDSS to develop implementing regulations, provided that no continuous appropriation for public assistance shall be made to implement the provisions of AB 480, and made technical changes.

REGISTERED SUPPORT / OPPOSITION:

Support

California Association of Food Banks
Grace - End Child Poverty
National Association of Social Workers, California Chapter
National Diaper Bank Network

Opposition

None on file.

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