

Date of Hearing: April 29, 2025

ASSEMBLY COMMITTEE ON HUMAN SERVICES

Alex Lee, Chair

AB 904 (Aguiar-Curry) – As Amended April 22, 2025

**SUBJECT:** Childcare services: workday

**SUMMARY:** Expands the definition of “workday” for the purposes of accessing childcare as the time a parent needs temporary care for a child, to include searching for a job and taking pregnancy or paid family leave. Adds to the needs assessment that a family is required to meet to be eligible for subsidized childcare services to include parents being on pregnancy or family leave. Clarifies that a medical incapacity form is not required for a parent on leave to receive services and authorizes a parent to sign an attestation stating they are on leave. Specifically, **this bill:**

- 1) Expands the definition of “workday” for the purposes of accessing childcare as the time a parent needs temporary care for a child to include searching for a job, to provide care for oneself during a pregnancy-related leave from work, and to provide care for a family member during a period of paid family leave.
- 2) Defines “parental incapacity” as the temporary or permanent inability of a child’s parent or parents to provide care and supervision of the child for any part of the day. This may be due to a physical or mental health condition, or may occur during periods of leave, including, but not limited to, pregnancy-related leave or paid family leave.
- 3) Expands the needs assessment that a family is required to meet to be eligible for subsidized childcare services to include parents on pregnancy or family leave.
- 4) Clarifies that a medical incapacity form is not required for a parent on leave to receive services and that a parent may sign an attestation stating they are on leave.
- 5) Makes the following findings and declarations:
  - a) Too many California families struggle to maintain affordable childcare when there is a disruption in work that interrupts their access to care.
  - b) From an unexpected loss of a job to a complicated birth that prolongs leave from work, young families are sometimes cut from the childcare services they need to get back on their feet.
  - c) States legislative intent to improve access to childcare to support families with young children in finding and maintaining employment during a period of transition by ensuring uninterrupted access to childcare.

**EXISTING LAW:**

State law:

- 1) Establishes the Child Care and Development Services Act to provide childcare and development services as part of a coordinated, comprehensive, and cost-effective system

serving children from birth to 13 years of age and their parents including a full range of supervision, health, and support services through full- and part-time programs. (Welfare and Institutions Code [WIC] § 10207 *et seq.*)

- 2) States legislative intent that all families have access to childcare and development services, through resource and referral where appropriate, and regardless of demographic background or special needs, and that families are provided the opportunity to attain financial stability through employment while maximizing growth and development of their children and enhancing their parenting skills through participation in childcare and development programs. (WIC § 10207.5)
- 3) Defines “childcare and development services” to mean services designed to meet a wide variety of children and families’ needs while parents and guardians are working, in training, seeking employment, incapacitated, or in need of respite. These services may include direct care and supervision, instructional activities, resource and referral programs, and alternative payment arrangements. (WIC § 10213.5(j))
- 4) Provides that the California Department of Social Services (CDSS) is hereby designated as the single state agency responsible for the promotion, development, and provision of care of children in the absence of their parents during the workday or while engaged in other activities which require assistance of a third party or parties. (WIC § 10211(a))
- 5) Defines “workday” to mean the time that the parent requires temporary care for a child for any of the following reasons:
  - a) To undertake training in preparation of a job;
  - b) To undertake, or retain a job; and,
  - c) To undertake other activities that are essential to maintaining or improving the social and economic function of the family, are beneficial to the community, or are required because of health problems in the family. (WIC § 10213.5(ah))
- 6) Establishes eligibility criteria for state-subsidized child development services based on family and child circumstances and need, and requires families to meet at least one requirement in each of the following areas:
  - a) A family is a current aid recipient, income eligible, homelessness, or if a child is or has been abused, neglected, or exploited, as specified; and,
  - b) A family needs the childcare services because the child is identified by a legal, medical, or social services agency, a local educational agency liaison for homeless children and youths, a Head Start program, or an emergency or transitional shelter as a: recipient of protective services; being neglected, abused, or exploited, or at risk of neglect, abuse, or exploitation; or being homeless; or, because the parents are: engaged in an educational program for English language learners or to attain a high school diploma or general educational development certificate; employed or seeking employment; seeking permanent housing for family stability; or incapacitated. (WIC § 10271(a)(1)(A-B))

- 7) Requires a family, except as provided, upon establishing initial eligibility or ongoing eligibility for childcare services, to be considered to meet all eligibility and need requirements for those services for not less than 24 months, to receive those services for not less than 24 months before having their eligibility or need recertified, and to not be required to report changes to income or other changes for at least 24 months. (WIC § 10271(h)(1))
- 8) Requires a family that establishes initial eligibility or ongoing eligibility on the basis of income to report increases in income that exceed the threshold for ongoing income eligibility, which is at or below 85% of the state median income, adjusted for family size, and requires the family's ongoing eligibility for services to be recertified at that time. (WIC § 10271(h)(3))
- 9) Defines "parental capacity" as the temporary or permanent inability of the child's parent(s) to provide care and supervision of the child(ren) for any part of the day due to a physical and/or mental health condition. (5 California Code of Regulations [CCR] § 18078(r))
- 10) Specifies that if the basis of need as stated on the application for services is parental incapacity, the following shall apply:
  - a) The certified schedule for early learning and care services shall not exceed 50 hours per week; and,
  - b) The parent's period of eligibility for early learning and care services shall be for no less than 12 months and the parent shall receive services for not less than 12 months before having eligibility and need recertified. (5 CCR § 18088(a))
- 11) Requires documentation of parental incapacity to include a release signed by the incapacitated parent authorizing a legally qualified health professional to disclose information necessary to establish that the parent meets the definition of parental incapacity, pursuant to 7) above, and needs services. (5 CCR § 18088(b))
- 12) Requires the documentation of incapacitation provided by the legally qualified health professional to include:
  - a) A statement that the parent is incapacitated and that the parent is incapable of providing care or supervision of the child for part of the day;
  - b) The days and hours per week that services are recommended to accommodate the incapacitation, taking into account the age of the child and the child's care needs. This may include time for the parent's regularly scheduled medical or mental health appointments;
  - c) The name, business address, telephone number, professional license number, and signature of the legally qualified health professional who is rendering the opinion of incapacitation; and,
  - d) If applicable, the name of the health organization with which the professional is associated. (5 CCR § 18088(c))

- 13) Authorizes the contractor to contact the legally qualified health professional for verification, or clarification of the provided statement in a) of 10) above. (5 CCR § 18088(d))
- 14) Requires the contractor to determine the days and hours of the certified schedule based on the parent's requested days and hours and the recommendation of the health professional, consistent with the 8) through 11) above. (5 CCR § 18088(e))
- 15) Establishes the Early Education Act to provide an inclusive and cost-effective preschool program that provides high-quality learning experiences, coordinated services, and referrals for families to access health and social-emotional support services through full- and part-day programs and that all families have equitable access to a high-quality preschool program, regardless of race or ethnic status, cultural, religious, or linguistic background, family composition, or children with exceptional needs. (Education Code Section [EDC] § 8200 *et seq.*)
- 16) The California Family Rights Act (CFRA) provides certain employees up to 12 weeks of unpaid, job-protected leave a year for the purpose of bonding with a child, caring for a parent, spouse, or child with a serious health condition, or due to an employee's own serious health condition, and requires group health benefits to be maintained during the leave as if employees continued to work instead of taking leave. (Government Code [GOV] § 12945.2)
- 17) Establishes Pregnancy Disability Leave (PDL) provisions, making it an unlawful employment practice, unless based upon a bona fide occupational qualification, for an employer to refuse to allow an employee disabled by pregnancy, childbirth, or a related medical condition to take a leave for a reasonable period of time not to exceed four months and thereafter return to work. The employee is entitled to utilize any accrued vacation leave during this period of time. Also under the Fair Employment and Housing Act, reasonable accommodation of a disability related to pregnancy can include an extended leave of absence. (GOV § 12945)
- 18) Provides, through the State Disability Insurance (SDI) program, short-term wage replacement benefits to eligible workers who are unable to work due to a non-work-related illness or injury for a maximum of 52 weeks. SDI benefits can be used for an illness or injury, either physical or mental, which prevents an employee from performing their regular and customary work and includes elective surgery, pregnancy, childbirth, or other medical conditions. (Unemployment Insurance Code [UIC] § 2601-3308)
- 19) Provides, through the Paid Family Leave (PFL) program, a component of SDI, eligible employees up to eight weeks of wage replacement benefits within a 12-month period to workers who need to take time off work to care for a seriously ill child, spouse, parent, grandparent, grandchild, sibling, or domestic partner; to bond with a minor child within one year of the birth or placement of the child in connection with foster care or adoption; or to participate in a qualifying event because of a family member's military deployment. (UIC § 3301)

Federal law:

- 20) Establishes the Family Medical Leave Act (FMLA) to provide most employees the right to take up to 12 weeks of job-protected, unpaid time off work for the birth or adoption of a

child, due to a serious health condition of the employee, for an exigency arising out of the fact that the employee's close relative is a military member on active duty, and for the employee to care for a close relative with a serious health condition. Applies these provisions to private employers that employ 50 or more employees during each of 20 or more calendar workweeks in the current or preceding year. (28 United States Code § 2601 *et seq.*, § 2611)

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

**COMMENTS:**

**Background:** *Subsidized Childcare.* California's subsidized child care system is designed to provide assistance to parents and guardians who are working, in training, seeking employment, incapacitated, or in need of respite. California's subsidized childcare is made up of a system of programs serving children from birth through 13 years of age, funded through a mix of federal and state dollars, and administered through a mixed delivery system by local educational agencies, community-based providers, and family childcare providers. Parents participating in California Work Opportunity and Responsibility to Kids (CalWORKs), as well as families transitioning from and no longer receiving CalWORKs aid, can be eligible for childcare, which is offered in three "stages." The largest programs are: General Child Care, which includes contracted centers and family childcare homes; the California State Preschool Program, which provides developmentally, culturally, and linguistically appropriate curriculum to eligible three- and four-year olds; and, alternative payment programs, which provide vouchers that can be used to obtain childcare in a center, family childcare home, or from a license-exempt provider.

Certain eligibility and prioritization rules apply to subsidized childcare in California. Families qualify for non-CalWORKs subsidized childcare if they satisfy at least one requirement in each of two areas: eligibility and need. First, they must meet one of the eligibility criteria, which includes currently receiving assistance, meeting income eligibility, experiencing homelessness, having children receiving protective services or identified as being at risk of abuse, neglect, or exploitation, or having a household member certified to receive benefits from specified means-tested government programs. Secondly, the family must meet one of the prerequisites for need. This could involve the child being identified by a legal, medical, or social services agency, or residing in an emergency shelter. Alternatively, the parents must either be employed or actively seeking employment; participating in vocational training or educational programs tailored for English language learners or aimed at achieving a high school diploma or general educational development certificate; be in pursuit of permanent housing for family stability; or, incapacitated. Families eligible for subsidized care must demonstrate an income below 85% of the state median income (SMI). Effective July 1, 2024, that amount is \$6,593 per month for a family of three, totaling \$79,116 annually.

Once a family is determined eligible for childcare services, either at initial enrollment or during a recertification, they are considered to meet all eligibility and need requirements for at least 24 months. During this 24-month period, the family is entitled to receive services without having to recertify their eligibility or need, and they are not required to report any changes to income or other circumstances, unless their circumstances result in income exceeding the 85% of SMI eligibility threshold.

*Workday.* California statute defines "workday" as the time a parent requires temporary care for a child to engage in employment, training, or other activities that support family stability.

However, CDSS does not use this definition as the basis of determining childcare eligibility. Instead, CDSS relies on the eligibility and need assessment criteria outlined earlier, which are in statute and requires families to meet at least one criterion related to income, family circumstance, or the parent's engagement in specific activities such as employment, education, job search, housing search, or incapacity.

In practice, this means that CDSS evaluates whether a parent qualifies for services based on documented "need" categories rather than using the broader and more flexible statutory definition of "workday." As a result, even though statutory language recognizes a wide range of family-supportive activities as part of the "workday," families may still lose access to childcare if their activity does not clearly fit within CDSS' interpretation of an eligible need category during reassessment or recertification. This creates a disconnect between the statutory intent of flexibility and the administrative application of eligibility, particularly during temporary transitions such as pregnancy-related leave or caregiving periods, when families may still require consistent childcare but fall outside narrowly defined need categories.

Additionally, existing law invokes "workday" once by stating that CDSS is designated as the single state agency responsible for overseeing childcare services when parents are absent due to work or "other activities which require assistance of a third party or parties" (WIC 10211(a)). While this statutory language could reasonably be interpreted to include family leave, such as pregnancy-related leave, paid family leave, or medical recovery periods, as activities during which parents may need support from others to care for their children, the statute does not explicitly name family leave as a qualifying activity.

As a result, the interpretation of this provision remains ambiguous. It provides discretionary authority to CDSS but does not impose a mandate or guarantee that family leave will be recognized as a valid circumstance for childcare eligibility. Furthermore, CDSS does not operationalize this language as a requirement or eligibility pathway. Instead, CDSS relies on more narrowly defined "need" categories and eligibility criteria outlined elsewhere in statute and regulation, such as active employment, job search, education, or verified incapacity, when administering subsidized childcare programs.

This lack of specificity creates a gap between the broad intent of the law to support families when parents cannot provide care and the practical application of eligibility rules. In doing so, it leaves families on leave, who may be recovering from childbirth or caring for seriously ill relatives, without clear or consistent access to the childcare services they need during these critical transitions. *This bill* seeks to close this gap by explicitly including family leave as part of the "workday" definition, thereby aligning statute with caregiving demands and the broader intent of WIC 10211(a).

*Parental Incapacity.* Under California regulations, "parental incapacity" is defined as the temporary or permanent inability of a parent to provide care and supervision of their child for any part of the day due to a physical or mental health condition. When a parent applies for early learning and care services on the basis of incapacity, specific provisions apply to how eligibility and services are determined. Parents who qualify under this category must be certified for no more than 50 hours of care per week, regardless of the nature or severity of the condition. However, once certified, they are eligible to receive services for a minimum period of 12 months, during which time their eligibility and need cannot be reassessed or reduced.

To establish eligibility, the parent must submit documentation from a legally qualified health professional. This includes a signed release authorizing the professional to disclose necessary information verifying that the parent meets the definition of incapacity and needs childcare services. The health professional's documentation must clearly state that the parent is incapable of providing care for part of the day and must include a recommendation for the appropriate number of service hours per week, based on the child's age and care needs. This recommendation may also factor in the time needed for the parents' medical or mental health appointments. The documentation must include the provider's full contact information, professional license number, and signature, as well as any applicable health organization affiliation.

Additionally, contractors are authorized to contact the health professional directly to verify or clarify the documentation provided. Based on the parents' request and the health professional's recommendation, the contractor must determine a certified schedule for services that aligns with these regulatory requirements. These regulations seek to ensure that families facing serious health-related challenges have access to stable childcare, while also imposing structured documentation and service limits to guide implementation.

*Current Barriers for Families on Leave.* Under current law and administrative practice, families who are on leave, such as pregnancy-related leave or PFL, are generally not considered eligible for subsidized childcare unless they qualify under the specific "need" category, such as parental incapacity. The prevailing assumption is that if a parent is on leave from work, they are at home and therefore available and able to care for their children. However, this assumption does not reflect the complex realities faced by many families, particularly low-income households and those managing caregiving challenges.

In practice, this means that parents who are on leave to recover from childbirth or care for a family member may lose access to childcare services if they do not meet the strict documentation requirements for incapacity outlined in regulations. The standard requires a formal diagnosis and detailed verification from a medical professional, which can be burdensome and invasive, particularly for parents dealing with temporary but significant physical or emotional recovery.

Moreover, many parents use family leave not solely for their own recovery, but to care for a newborn or sick loved one while still needing support with older children or respite during periods of high stress. By not recognizing family leave as a legitimate need for childcare assistance, except under the narrow lens of incapacity, the system effectively excludes many families from support during their most vulnerable periods. This gap in eligibility not only undermines the goals of recovery, bonding, and family well-being but also reinforces inequities for parents who lack informal caregiving networks or flexible work benefits.

*This bill* seeks to address this gap in childcare access by recognizing that parents on leave, such as pregnancy-related leave or PFL, still require support in caring for their children. It does so by ensuring that time on leave is explicitly treated as part of the "workday" for the purposes of childcare access, and by establishing leave as its own distinct category of "need"—separate from existing categories such as parental incapacity.

Currently, parents on leave who seek subsidized childcare must often qualify under the "incapacity" category, which requires medical documentation and verification from a licensed health professional. *This bill* makes it clear that being on leave does not equate to medical

incapacity and should not be subject to the same documentation standards by allowing parents to sign an attestation form confirming they are on leave.

In addition, *this bill* expands the regulatory definition of “parental incapacity” by acknowledging that incapacity may occur during periods of leave, including pregnancy-related or PFL, even if the parent is not diagnosed with a specific physical or mental health condition.

As mentioned, state law establishes a 24-monthly eligibility for childcare services, during which families remain eligible regardless of temporary changes in income, employment, or need status, unless they report income that exceeds 85% of the SMI. This means that if a parent goes on leave and later returns to work within that certification period, they are not obligated to report their return to the contractor unless their income increases beyond the eligibility cap. *This bill* seeks to provide a stabilizing effect for families and supports the continuity of care for children by ensuring that a return to work after being on leave does not automatically trigger a reassessment of eligibility unless income limits are exceeded. This means that by expanding the “need” criteria to include family leave, *this bill* allows families to qualify for and begin receiving childcare services while still on leave. This translates to families not having to wait until their leave ends to apply for care, allowing for continuous support during critical periods and reducing gaps in service.

*Family Leave in California.* California offers several types of family leave that allow workers to take time off for pregnancy, childbirth, bonding with a new child, or caring for a seriously ill family member. These leave programs vary in terms of eligibility, job protection, and wage replacement, and while they serve overlapping purposes, none currently ensure access to subsidized childcare during the leave period, a gap this bill seeks to address.

- *California Family Rights Act* provides up to 12 weeks of job-protected, unpaid leave within a 12-month period for eligible employees. Leave may be used for an employee’s birth of a child or placement of a child through adoption of foster care, an employee’s own serious health condition or to care for a child, spouse, parent, grandparent, sibling, or registered domestic partner. CFRA applies to employees who work for an employer with five or more employees and who have completed at least 1,250 hours of work in the prior year;
- *Family Medical Leave Act* is a federal law with similar provisions but a narrower scope. FMLA also provides 12 weeks of unpaid, job-protected leave, but it only applies to employers with 50 or more employees within a 75-mile radius and requires the same 1,250 hours of prior work. While both CFRA and FMLA protect a parent’s job, neither program includes direct income support or addresses childcare needs during the leave;
- *Pregnancy Disability Leave* allows workers in California to take up to four months of job-protected leave per pregnancy for conditions related to pregnancy or childbirth, including prenatal care, recovery from delivery, or complications such as postpartum depression. PDL is available to employees working for employers with five or more employees and does not have a minimum hours requirement; and,
- *Paid Family Leave* provides partial wage replacement, but not job protection, for up to eight weeks for bonding with a new child or caring for a seriously ill family member. Administered by the Employment Development Department, PFL is funded through SDI payroll contributions. Workers must contribute to SDI through payroll deductions or a



negotiated agreement to be eligible. PFL can be used in conjunction with CFRA or FMLA to preserve both income and job protection.

While these leave programs serve critical roles in supporting families during vulnerable periods, none guarantee access to subsidized childcare during leave. The assumption that parents on leave can care for their children full-time does not account for the realities of postpartum recovery, caregiving for other children, and managing medical or mental health needs.

A 2020 report by the U.S. Department of Health and Human Services highlighted that PFL helped many low-income mothers secure childcare and manage transitions back to work—but also found that childcare affordability and availability remained significant barriers. Studies from the National Partnership for Women & Families also demonstrate that access to childcare during PFL improves maternal health and reduces financial stress, promoting better outcomes for both parents and children. The National Women’s Law Center (NWLC) additionally finds that flexible childcare policies strengthen job retention and improve economic outcomes for working families, particularly for women. The NWLC notes that affordable childcare increases women’s lifetime earnings and retirement security, reinforcing its long-term benefits for family economic security.

By expanding eligibility for subsidized childcare to include pregnancy-related and family leave as a distinct need category, *this bill* aligns California’s childcare system with the protections offered under CFRA, PDL, FMLA, and PFL, ensuring that parents have the support they need to care for their children and return to work safely and sustainably. Below is a summary of the leave programs.

	<b>CA Family Rights Act (CFRA)</b>  <i>Job Protected</i>	<b>Paid Family Leave (PFL)</b>  <i>No Job Protection</i>	<b>Pregnancy Disability Leave (PDL)</b>  <i>Job Protected</i>	<b>Family Medical Leave Act (FMLA)</b>  <i>Job Protected</i>
<b>Employers Covered</b>	Five or more employees	One or more (employee pays, employee gets)	Five or more employees	50+ employees within 75-mile radius
<b>Employee Eligibility</b>	Worked 1,250 hours in prior 12 months	Once employee earns \$300 in base period for fund contribution	Immediate as necessary	Worked 1,250 in prior 12 months
<b>Reason for Leave</b>	Employee serious health condition; seriously ill family member care; bond with newborn or newly placed adopted or foster child	Care for seriously ill family member; bond with a child within 1 year of birth, foster care or adoption placement; qualifying event because of a family	Disability due to pregnancy, childbirth or related medical condition	Bond with a child w/in 1 year of birth, adoption or foster care placement OR due to serious pregnancy-related health condition

		member's military deployment		
<b>Length of Leave</b>	12 weeks in 12-month period	8 weeks in 12-month period	Up to 4 months	Up to 12 weeks
<b>Paid or Unpaid</b>	Unpaid, may run concurrent with other paid leave	Partial wage replacement (70-90%)	Unpaid, may run concurrent with SDI for partial wage replacement	Unpaid, employee can use vacation, paid sick time
<b>Continued Health Coverage</b>	Yes	No	Yes	Yes

**Author's Statement:** According to the Author, "California's child care system is failing many working families by limiting access to care based on unclear eligibility requirements. Parents utilizing family leave or searching for a job often find themselves without the child care support they need. This forces them to delay employment, risk their health, or make impossible choices about caregiving and financial stability. [This bill] clarifies current law to ensure that families can access reliable child care during these critical transitions, such as pregnancy leave, paid family leave, and job searching. By updating our policies, we can better support working parents and promote economic equity across the state."

**Equity Implications:** By creating a new, standalone category of "need" for parents on leave, this bill acknowledges the realities faced by families who require childcare during critical periods of transition. It removes the reportedly burdensome requirement of medical verification that is associated with the incapacity category, and instead allows parents to submit an attestation form confirming they are on leave. This streamlined process may reduce administrative barriers that have historically excluded the most vulnerable families, particularly those with limited access to healthcare or who are unfamiliar with navigating complex eligibility systems.

*This bill* aims to promote gender equity by recognizing caregiving as essential labor, not an automatic indicator of capacity. Women, especially women of color, are more likely to take on unpaid caregiving responsibilities, which often result in missed work opportunities, stalled career advancement, and lower lifetime earnings. Allowing access to subsidized childcare while on leave supports these parents in maintaining stability and planning for a return to the workforce, reinforcing economic opportunity and family wellbeing.

Additionally, *this bill* seeks to strengthen continuity of care for children. Disruptions in childcare access, especially during the first five years of life, can negatively impact a child's development and widen existing disparities in school readiness and long-term outcomes. Ensuring that childcare remains available during family leave supports children's stability and development, while easing the transition for parents back into employment or education. It may help to ensure that no parent is forced to choose between taking necessary leave and losing access to the childcare support that allows them to recover, bond, and return to work.

**Staff Comments:** To address a technical drafting error, the Author may wish to amend this bill to renumber Section 3 of the bill as follows:

(a) (1) The department shall adopt rules and regulations on eligibility, enrollment, and priority of services needed to implement this chapter. In order to be eligible for federal and state subsidized child development services, families shall meet at least one requirement in each of the following areas:

(A) A family is (i) a current aid recipient, (ii) income eligible, (iii) homeless, (iv) one whose children are recipients of protective services, or whose children have been identified as being abused, neglected, or exploited, or at risk of being abused, neglected, or exploited, or (v) one who has a member of its household who is certified to receive benefits from Medi-Cal, CalFresh, the California Food Assistance Program, the California Special Supplemental Nutrition Program for Women, Infants, and Children, the federal Food Distribution Program on Indian Reservations, Head Start, Early Head Start, or any other designated means-tested government program, as determined by the department. If a family is deemed eligible pursuant to clause (v), the family shall be prioritized by the income declared on the application for the means-tested government program.

(B) A family needs the childcare services (i) because the child is identified by a legal, medical, or social services agency, a local educational agency liaison for homeless children and youths designated pursuant to Section 11432(g)(1)(J)(ii) of Title 42 of the United States Code, a Head Start program, or an emergency or transitional shelter as (I) a recipient of protective services, (II) being neglected, abused, or exploited, or at risk of neglect, abuse, or exploitation, or (III) being homeless or (ii) because the parents are (I) engaged in vocational training leading directly to a recognized trade, paraprofession, or profession, (II) engaged in an educational program for English language learners or to attain a high school diploma or general educational development certificate, (III) employed or seeking employment, (IV) seeking permanent housing for family stability, or (V) incapacitated, or (VI) on pregnancy or family leave.

~~(C)~~ (2) A medical incapacity form shall not be required for a parent on leave to receive services. A parent may sign an attestation stating they are on leave.

~~(2)~~ (3) If only one parent has signed an application for enrollment in childcare services, as required by this chapter or regulations adopted to implement this chapter, and the information provided on the application indicates that there is a second parent who has not signed the application, the parent who has signed the application shall self-certify the presence or absence of the second parent under penalty of perjury. The parent who has signed the application shall not be required to submit additional information documenting the presence or absence of the second parent.

#### **RELATED AND PRIOR LEGISLATION:**

***AB 1528 (Committee on Human Services) of the current legislative session***, among other things, extends family fee exemptions from 12 to 24 months for children referred for or at risk of receiving child protective services. *AB 1528 is set to be heard by this committee on April 29, 2025.*

***AB 65 (Aguiar Curry) of the current legislative session***, requires K-12 public schools and community college districts to provide up to 14 weeks of paid leave for employees experiencing

pregnancy, miscarriage, childbirth, termination of pregnancy, or recovery from those conditions. *AB 65 is pending before the Assembly Committee on Appropriations.*

*AB 2901 (Aguilar Curry) of 2024*, would have required school and community college districts to provide up to 14 weeks of paid leave for employees experiencing pregnancy, miscarriage, childbirth, termination of pregnancy, or recovery from those conditions, beginning January 1, 2028, and only if an appropriation is made for this purpose in the budget. *AB 2901 died on the Senate inactive file.*

*SB 1047 (Limon), Chapter 923, Statutes of 2022*, expanded from 12 months to 24 months, the period of a family's eligibility after establishing initial eligibility for state preschool and subsidized child care and development programs, and expanded priority for eligibility, enrollment, and services to include families who receive specified human services benefits.

*AB 131 (Committee on Budget), Chapter 116, Statutes of 2021*, aimed to expand childcare access for working families by adding thousands of new childcare slots and increasing provider rates. Phased in 200,000 new childcare slots by the 2025-26 fiscal year, with over 145,000 slots added by 2022-23. Promised significant rate increases for childcare and preschool providers, reflecting a collective bargaining agreement with Child Care Providers United, benefiting approximately 40,000 family childcare providers.

#### **REGISTERED SUPPORT / OPPOSITION:**

##### **Support**

TOOTRiS

##### **Opposition**

None on file.

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