AB 2764: Ensuring Equitable Access to Extended Foster Care Statewide

Assembly Bill (AB) 2764, authored by Assemblymember Patrick Ahrens, was signed into law by Governor Newsom on September 27, 2026. AB 2764 clarifies and standardizes Extended Foster Care (EFC) eligibility statewide, ensuring that a young person's access to housing and support does not depend on their county of jurisdiction or the discretion of individual decision-makers assigned to their case.

WHAT IS EXTENDED FOSTER CARE (EFC)?

EFC was established federally in 2008 and in California through Assembly Bill 12 (AB 12) in 2010, taking effect in 2012. EFC allows eligible youth in the child welfare and probation systems to remain in foster care up until turning 21 years old, referred to as "nonminor dependents."

WHO IS ELIGIBLE FOR EFC AND WHAT ARE THE PARTICIPATION CONDITIONS?

Under federal and state law, youth are eligible for EFC if they meet at least one of five participation conditions: completing secondary education, enrolling in postsecondary or vocational education, participating in a program or activity that promotes or removes barriers to employment, working at least 80 hours per month, or being unable to participate due to a documented physical or mental medical condition.

WHAT BARRIERS NECESSITATED AB 2764?

The California Youth Transitions to Adulthood (CalYOUTH) Study found substantial variation across counties in EFC participation, with the average amount of time youth remain in care after age 18 differing by more than two years between counties.

AB 2764 addresses inconsistent local EFC implementation practices that limit access to EFC. In some cases, individuals such as county case managers, officers of the court, or placement providers have imposed additional and restrictive EFC requirements that exceed the legal standard, as a condition of entering or re-entering EFC or a specific placement. Youth have also been unlawfully discharged from EFC or specific placements for failing to meet these additional requirements.

Restrictions reported include requiring participation in both work *and* school, working more than 80 hours per month, or requiring high school graduation before program entry. These restrictions not only limit a youth's access to EFC, but can result in youth experiencing homelessness, job loss, or stopping out of school.

WHY IS IT IMPORTANT TO ENSURE GREATER ACCESS TO EFC?

The CalYOUTH Study found that young people who remained in EFC fared better across a range of domains, including education, employment, physical and mental health, and economic security. Additionally, youth who remained in EFC had 28% lower odds of being homeless or couch-surfing between ages 17 and 21. Each additional year a youth remains in EFC reduces the odds of homelessness by about 32–33%. EFC is recognized as one of the state's most effective strategies for preventing youth homelessness, providing eligible young adults with stable housing and support to develop independent living skills during their transition to adulthood.

WHAT CHANGES DOES AB 2764 MAKE?

AB 2764 prohibits county welfare and probation agencies, officers of the court, and licensed foster care providers from denying eligibility to or terminating a nonminor dependent's EFC program benefits for reasons which exceed the five conditions specified in federal and state law.

AB 2764 also aligns state law with Community Care Licensing Standards for the Transitional Housing Placement for Non-Minor Dependents (THP-NMD), which prevents providers from requiring additional education or employment requirements that exceed legal standards.

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