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**AB-320 Public social services: eligibility: income exclusions.** (2025-2026)

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**Assembly Bill No. 320**

**CHAPTER 686**

An act to add Sections 1090.1 and 35120.1 to the Education Code, and to add Section 11157.3 to the Welfare and Institutions Code, relating to public social services.

[ Approved by Governor October 13, 2025. Filed with Secretary of State October 13, 2025. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 320, Bennett. Public social services: eligibility: income exclusions.

Existing law establishes various means-tested public social services programs administered by counties to provide eligible recipients with certain benefits, including, but not limited to, cash assistance under the California Work Opportunity and Responsibility to Kids (CalWORKs) program and health care services under the Medi-Cal program. Existing law establishes various awards under the administration of the Student Aid Commission and establishes eligibility requirements for these awards for participating students attending qualifying institutions.

Existing law establishes a system of public elementary and secondary schools in this state, and provides for their governance. Existing law establishes county boards of education and school districts throughout the state to administer the public elementary and secondary schools within their respective jurisdictions. Existing law requires county boards of education and school district governing boards to appoint at least one high school pupil as a pupil member of the board in response to a petition from high school pupils requesting the appointment of one or more pupil members. Existing law authorizes the county board of education and the governing board of a school district to award a pupil member elective course credit or monthly financial compensation, or both, as provided.

This bill would, to the extent permitted by federal law, prohibit that compensation from being considered as income or resources when determining eligibility and benefit amount for any means-tested program and any scholarships for public colleges and universities, as specified. To the extent that the bill would expand eligibility for programs administered by counties, the bill would impose a state-mandated local program.

This bill would authorize the State Department of Social Services to implement, interpret, or make specific the income exclusion for programs under its jurisdiction by means of all-county letters or similar written instructions from the department until regulations are adopted. The bill would specify that its provisions apply to programs under the department's jurisdiction beginning on the date that the department notifies the Legislature that the California Statewide Automated Welfare System can perform the necessary automation to implement the income exclusion for those programs. The bill would require the department to issue guidance as necessary to begin automation no later than July 1, 2026.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

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## THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

### **SECTION 1.** Section 1090.1 is added to the Education Code, to read:

**1090.1.** (a) Notwithstanding any other law, and to the extent permitted by federal law, any compensation awarded to a pupil member pursuant to subdivision (h) of Section 1090 shall not be considered as income or resources when determining eligibility and benefit amount for any means-tested program, including, but not limited to, CalWORKs, General Assistance, Medi-Cal, and Cash Assistance Program for Immigrants (CAPI), and any scholarships for public colleges and universities, including, but not limited to, Cal Grant awards, Chafee grant awards, Middle Class Scholarship Program awards, California College Promise Grants, California State University Educational Opportunity Program (EOP) grants, Community College Extended Opportunity Programs and Services (EOPS) grants, and grants from the University of California or the California State University.

(b) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the State Department of Social Services may implement, interpret, or make specific this section for programs under its jurisdiction by means of all-county letters or similar written instructions from the department until regulations are adopted. These all-county letters or similar instructions shall have the same force and effect as regulations until the adoption of regulations.

(c) This section shall apply to programs under the jurisdiction of the State Department of Social Services beginning on the date that the State Department of Social Services notifies the Legislature that the California Statewide Automated Welfare System can perform the necessary automation to implement this section for those programs. The department shall issue guidance as necessary to begin automation no later than July 1, 2026.

### **SEC. 2.** Section 35120.1 is added to the Education Code, to read:

**35120.1.** (a) Notwithstanding any other law, and to the extent permitted by federal law, any compensation awarded to a pupil member pursuant to subdivision (f) of Section 35120 shall not be considered as income or resources when determining eligibility and benefit amount for any means-tested program, including, but not limited to, CalWORKs, General Assistance, Medi-Cal, and Cash Assistance Program for Immigrants (CAPI), and any scholarships for public colleges and universities, including, but not limited to, Cal Grant awards, Chafee grant awards, Middle Class Scholarship Program awards, California College Promise Grants, California State University Educational Opportunity Program (EOP) grants, Community College Extended Opportunity Programs and Services (EOPS) grants, and grants from the University of California or the California State University.

(b) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the State Department of Social Services may implement, interpret, or make specific this section for programs under its jurisdiction by means of all-county letters or similar written instructions from the department until regulations are adopted. These all-county letters or similar instructions shall have the same force and effect as regulations until the adoption of regulations.

(c) This section shall apply to programs under the jurisdiction of the State Department of Social Services beginning on the date that the State Department of Social Services notifies the Legislature that the California Statewide Automated Welfare System can perform the necessary automation to implement this section for those programs. The department shall issue guidance as necessary to begin automation no later than July 1, 2026.

### **SEC. 3.** Section 11157.3 is added to the Welfare and Institutions Code, to read:

**11157.3.** (a) For purposes of this chapter and Chapter 2 (commencing with Section 11200), notwithstanding any other law and to the extent permitted by federal law, any compensation awarded to a pupil member of a governing board of a school district pursuant to subdivision (f) of Section 35120 of the Education Code shall be exempt from consideration as income and resources.

(b) For purposes of this chapter and Chapter 2 (commencing with Section 11200), notwithstanding any other law and to the extent permitted by federal law, any compensation awarded to a pupil member of a county board of education pursuant to subdivision (h) of Section 1090 of the Education Code shall be exempt from consideration as income and resources.

(c) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the State Department of Social Services may implement, interpret, or make specific this section by means of all-county letters or similar written instructions from the department until regulations are

adopted. These all-county letters or similar instructions shall have the same force and effect as regulations until the adoption of regulations.

(d) This section shall become operative on the date the State Department of Social Services notifies the Legislature that the California Statewide Automated Welfare System can perform the necessary automation to implement this section. The department shall issue guidance as necessary to begin automation no later than July 1, 2026.

**SEC. 4.** If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.