



Home	Bill Information	California Law	Publications	Other Resources	My Subscriptions	My Favorites
------	------------------	----------------	--------------	-----------------	------------------	--------------

**AB-494 Nonminor dependents: transfer of county of residence.** (2025-2026)

SHARE THIS:  

Date Published: 02/10/2025 09:00 PM

CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

**ASSEMBLY BILL**

**NO. 494**

Introduced by Assembly Member Davies

February 10, 2025

An act to amend Sections 17.1 and 375 of the Welfare and Institutions Code, relating to juveniles.

**LEGISLATIVE COUNSEL'S DIGEST**

AB 494, as introduced, Davies. Nonminor dependents: transfer of county of residence.

Existing law authorizes the residence of a nonminor dependent to be changed to another county where they are living if the court finds that the nonminor dependent has had a continuous physical presence in the new county for one year as a nonminor dependent and the nonminor dependent expressed intent to remain in that county. Existing law requires the juvenile court of the county where that nonminor dependent then resides to take jurisdiction of the case upon the receipt and filing of the finding of the facts and an order transferring the case.

This bill would additionally authorize the residence of a nonminor dependent to be changed to another county where they are living if the nonminor dependent requests the transfer of jurisdiction to the new county and demonstrates an intent to remain in the new county by establishing a significant connection to the new county, as specified. The bill would require a court issuing an order to transfer the case pursuant to this new authority to issue the order within 30 calendar days of the nonminor dependent's request, and deems the new county to have jurisdiction over the nonminor dependent within 10 calendar days of an issuance of an order to transfer.

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

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

**SECTION 1.** Section 17.1 of the Welfare and Institutions Code is amended to read:

**17.1.** Unless otherwise provided under ~~the provisions of~~ this code, *including, but not limited to, Section 375, and* to the extent not in conflict with federal law, the residence of a minor person, or a nonminor dependent, as described in subdivision (v) of Section 11400, shall be determined by the following rules:

(a) The residence of the parent with whom a child maintains ~~his or her~~ *their* place of abode or the residence of any individual who has been appointed legal guardian or the individual who has been given the care or custody by a court of competent jurisdiction, determines the residence of the child.

(b) Wherever in this section it is provided that the residence of a child is determined by the residence of the person who has custody, "custody" means the legal right to custody of the child unless that right is held jointly by two or more persons, in which case "custody" means the physical custody of the child by one of the persons sharing the right to custody.

(c) The residence of a foundling shall be deemed to be that of the county in which the child is found.

(d) If the residence of the child is not determined under subdivision (a), (b), (c), or (e), the county in which the child is living shall be deemed the county of residence, if and when the child has had a physical presence in the county for one year.

(e) If the child has been declared permanently free from the custody and control of ~~his or her~~ *their* parents, ~~his or her~~ *the child's* residence is the county in which the court issuing the order is situated.

(f) If a nonminor dependent under the dependency jurisdiction or transition jurisdiction of the juvenile court is placed in a planned permanent living arrangement, as described in subdivision (i) of Section 366.3, the county in which the nonminor dependent is living may be deemed the county of residence, if and when the nonminor dependent has had a continuous physical presence in the county for one year as a nonminor dependent and the nonminor dependent expressed ~~his or her~~ *their* intent to remain in that county.

(g) If a nonminor dependent's dependency jurisdiction has been resumed, or transition jurisdiction assumed or resumed by the juvenile court that retained general jurisdiction pursuant to subdivision (b) of Section 303, as a result of the filing of a petition pursuant to subdivision (e) of Section 388, following the granting of the petition, the county in which the nonminor dependent is living at the time the petition was filed may be deemed the county of residence, if and when the nonminor dependent establishes that ~~he or she has~~ *they have* had a continuous physical presence in the county for one year and has expressed ~~his or her~~ *their* intent to remain in that county. The period of continuous physical presence in the county shall include any period of continuous residence in the county immediately prior to the filing of the petition.

**SEC. 2.** Section 375 of the Welfare and Institutions Code is amended to read:

**375.** (a) Whenever a petition is filed in the juvenile court of a county other than the residence of the person named in the petition, or whenever, subsequent to the filing of a petition in the juvenile court of the county where that minor resides, the residence of the person who would be legally entitled to the custody of the minor were it not for the existence of a court order issued pursuant to this chapter is changed to another county, the entire case may be transferred to the juvenile court of the county where that person then resides at any time after the court has made a finding of the facts upon which it has exercised its jurisdiction over the minor, and the juvenile court of the county where that person then resides shall take jurisdiction of the case upon the receipt and filing of the finding of the facts upon which the court exercised its jurisdiction and an order transferring the case.

(b) (1) *(A)* Whenever a minor under the dependency jurisdiction or transition jurisdiction of the juvenile court attains 18 years of age and remains under the court's jurisdiction as a nonminor dependent, as defined in subdivision (v) of Section 11400, the residence of the nonminor dependent may be changed to another county if the court finds that the nonminor dependent meets ~~the conditions of subdivision (f) of Section 17.1. The~~ *either of the following conditions:*

*(i) The conditions set forth in subdivision (f) of Section 17.1.*

*(ii) The nonminor dependent requests the transfer of jurisdiction to a new county and demonstrates an intent to remain in the new county by establishing a significant connection to the new county, which may include, but is not limited to, any of the following:*

*(I) Employment in the new county.*

*(II) Enrollment in an educational or vocational program in the new county.*

*(III) Housing in the new county, as evidenced by a rental or lease agreement, housing assistance approval, Supervised Independent Living Placement Approval and Placement Agreement form, a documented agreement for housing with a private party or transitional housing program in the new county, verification of housing through a transitional housing program, or supervised independent living placement approval by a social worker.*

*(IV) Family or other supportive connections in the new county. For purposes of this section, "supportive connections" means relationships that provide emotional or social support to the nonminor dependent, including, but not limited to, family members, mentors, close friends, or community ties.*

*(B) (i) Pursuant to subparagraph (A), the entire case may be ordered to be transferred to the juvenile court of the county where the nonminor dependent then resides at any time after the court has made a finding of the facts upon which the court has exercised its jurisdiction over the nonminor. The juvenile court of the county where a nonminor then resides shall take jurisdiction of the case upon the receipt and filing of that finding and an order transferring the case.*

*(ii) A court issuing an order to transfer the case pursuant to clause (ii) of subparagraph (A) shall issue the order within 30 calendar days of the nonminor dependent's request.*

*(iii) If the court issues an order to transfer the case, the new county shall be deemed to have jurisdiction over the nonminor dependent within 10 calendar days of the issuance of the order.*

(2) Whenever a petition pursuant to subdivision (e) of Section 388 is submitted in the juvenile court of a county other than the county that retained general jurisdiction under subdivision (b) of Section 303 of the nonminor dependent, as defined in subdivision (v) of Section 11400, the residence of the nonminor dependent may be changed to another county if the nonminor dependent meets the conditions of subdivision (g) of Section 17.1. The entire case may be transferred to the juvenile court of the county where the nonminor dependent then resides at any time after the county that retained general jurisdiction has granted the petition and resumed dependency jurisdiction, or has assumed or resumed transition jurisdiction. The juvenile court of the county where the nonminor then resides shall take jurisdiction of the case upon the receipt and filing of the finding of the facts upon which the court exercised its jurisdiction over the nonminor and an order transferring the case.