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AB-1375 Consideration when determining child custody: human trafficking. (2025-2026)

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Assembly Bill No. 1375

CHAPTER 452

An act to add Section 3040.5 to the Family Code, relating to child custody.

[Approved by Governor October 07, 2025. Filed with Secretary of State October 07, 2025.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1375, Hoover. Consideration when determining child custody: human trafficking.

Existing law governs the determination of child custody and visitation in contested proceedings. Under existing law, upon a finding by the court that a party seeking custody of a child has perpetrated domestic violence against the child, the other party seeking custody of the child, or others, as specified, there is a rebuttable presumption that granting custody to the party who perpetrated domestic violence is detrimental to the best interest of the child. Under existing law, this presumption may only be rebutted by a preponderance of the evidence.

This bill would require, when making a determination of the best interests of a child, a court to consider any relevant, admissible evidence that a parent has caused human trafficking of the child or other parent.

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

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

SECTION 1. Section 3040.5 is added to the Family Code, to read:

3040.5. When making a determination of the best interests of a child pursuant to Section 3011, the court shall consider any relevant, admissible evidence that a parent has caused human trafficking of the child or other parent.