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AB-1049 California Food Assistance Program: sponsor deeming rules. (2025-2026)

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CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

ASSEMBLY BILL

NO. 1049

Introduced by Assembly Member Celeste Rodriguez
(Coauthor: Assembly Member Lee)

February 20, 2025

An act to amend Section 18932 of the Welfare and Institutions Code, relating to food assistance.

LEGISLATIVE COUNSEL'S DIGEST

AB 1049, as introduced, Celeste Rodriguez. California Food Assistance Program: sponsor deeming rules.

Existing federal law establishes the Supplemental Nutrition Assistance Program (SNAP), known in California as CalFresh, under which supplemental nutrition assistance benefits allocated to the state by the federal government are distributed to eligible individuals by each county. Existing state law establishes, in addition to CalFresh, the California Food Assistance Program (CFAP) to provide nutrition benefits to households that are ineligible for CalFresh benefits solely due to their immigration status, as specified. Existing law sets forth provisions relating to state funding for CFAP.

Under existing federal and state law, in determining the eligibility and amount of aid for a person who is not a citizen or national of the United States under certain public social services programs, the income and resources of the person are deemed to include the income and resources of any person who has executed an affidavit of support on behalf of the person and the spouse of that person, with certain exemptions.

Existing state law requires that federal deeming rules and exemptions governing SNAP also govern CFAP, with certain exceptions.

Under this bill, federal deeming rules and exemptions governing SNAP would instead not apply to CFAP. By creating new duties for counties relating to CFAP eligibility, the bill would impose a state-mandated local program.

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

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

SECTION 1. Section 18932 of the Welfare and Institutions Code is amended to read:

18932. (a) Except as otherwise provided in this chapter, the federal and state laws and regulations governing the federal ~~Food Stamp~~ *Supplemental Nutrition Assistance* Program shall also govern the program provided for under this chapter.

(b) Federal deeming rules and exemptions governing the federal ~~Food Stamp Program~~ shall also govern the program provided for under this chapter, except that for immigrants with affidavits of support under Section 1183a of Title 8 of the United States Code who do not meet exemptions from deeming, the period for deeming of a sponsor's income and resources shall be three years from the date of the sponsor's execution of the affidavit of support pursuant to Section 1183a of Title 8 of the United States Code. *Supplemental Nutrition Assistance Program shall not apply to the program established under this chapter.*

~~(c) Notwithstanding any other provision in this chapter, immigrants who are victims of abuse by their sponsor or sponsor's spouse shall be exempt from deeming. Abuse shall be defined in the same manner as provided in Section 11495.1 and Section 11495.12. A sworn statement of abuse by a victim, or the representative of the victim if the victim is not able to competently swear, shall be sufficient to establish abuse if one or more additional items of evidence of abuse is also provided. Additional evidence may include, but is not limited to, the following:~~

- ~~(1) Police, government agency, or court records or files.~~
- ~~(2) Documentation from a domestic violence program, or from a legal, clinical, medical, or other professional from whom the applicant or recipient has sought assistance in dealing with abuse.~~
- ~~(3) A statement from any other individual with knowledge of the circumstances that provided the basis for the claim.~~
- ~~(4) Physical evidence of abuse.~~
- ~~(5) If the victim cannot provide additional evidence of abuse, then the sworn statement shall be sufficient if the county makes a determination documented in writing in the case file that the applicant is credible.~~

SEC. 2. 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.

REVISIONS:
Heading-Line 2.