

REPORT OF THE CHIEF LEGISLATIVE ANALYST

DATE: June 18, 2025

TO: Honorable Members of the Rules, Elections, and Intergovernmental Relations Committee

FROM: Sharon M. Tso

Chief Legislative Analyst

Council File No.

25-0002-S37

Assignment No.

25-05-0413

SUBJECT: Resolution (Padilla – Jurado) to SUPPORT Assembly Bill 495 (Rodriguez) to clarify emergency plan requirements in schools and child care facilities.

CLA RECOMMENDATION: Adopt Resolution (Padilla – Jurado) to include in the City’s 2025-2026 State Legislative Program, SUPPORT for Assembly Bill (AB) 495 (Rodriguez) to clarify emergency plan requirements in schools and child care facilities.

SUMMARY

Resolution (Padilla – Jurado), introduced on April 23, 2025, states that several recent federal immigration policies have contributed to increases in the separation of families and number of unaccompanied children. The Resolution further states that stable caregiving arrangements are essential for the health, safety, and emotional well-being of children, particularly in times of crisis. The Resolution states that under existing law, caregivers who are at least 18 years old and sign a Caregiver’s Authorization Affidavit (CAA) for a minor who lives in their home is authorized to consent to school-related medical care on behalf of the minor, and that a CAA becomes invalid after a school, health care provider, or health service plan receives notice that the minor is no longer living with the caregiver. The Resolution states that despite CAAs and guardianship nominations, families and caregivers face significant uncertainty due to the lack of clarity, consistency, and enforceability of these mechanisms by schools and service providers. The Resolution further states that AB 495 would expand the definition of a caregiver to include nonrelative, extended family members who do not reside with the minor, and provide that a CAAs are valid until a parent, legal guardian, person with legal custody, or caregiver of a minor rescinds the affidavit. The Resolution states that AB 495 would prohibit licensed child care facilities from collecting the citizenship or immigration status information of children or their family members, and require that they report any requests for information or access to the facility by an immigration agent to the California Department of Social Services and Attorney General. The Resolution states that AB 495 would encourage schools and child care facilities to work with parents to update emergency contact information, require them to abide by parental child care instructions if they are aware that the child’s parent is not available to care for the child, and ultimately ensure that safety plans are in place in case of immigration enforcement actions. The Resolution requests that the City support AB 495.

BACKGROUND

In January 2025, the Department of Homeland Security (DHS) issued new directives to rescind previous sensitive location policies and remove rules regarding where immigration laws could be enforced. Previously, DHS prohibited immigration enforcement actions at “sensitive locations,” which included schools, hospitals, places of worship, religious ceremonies, and public demonstrations. The January 2025 directives authorize immigration agents to make their own determinations for where immigration

enforcement actions can occur. Recent reports indicate that immigration enforcement actions have occurred at local schools and universities.

AB 495 would amend a section of the State's Health and Safety Code to prohibit child care facilities from collecting information regarding the citizenship or immigration status of a child or their family members. AB 495 would also require child care facilities to report any requests for information or access to the facility by an immigration agent to the California Department of Social Services and Attorney General. Schools, school districts, county offices of education, and charter schools have been subject to these prohibitions and disclosure requirements since 2017 with the passing of AB 699.

AB 495 would also amend a section of the State's Family Code to expand the type of person who is authorized to execute a CAA. The CAA is a legal document that allows an adult who is not a parent or legal guardian of a minor to enroll a child in school and consent to a child's medical care. Under existing law, caregivers must be at least 18 years of age, reside with the minor, and must have completed and signed a CAA under penalty of perjury. The CAA can be used by relative and non-relative caregivers to enroll a child in school, but provides "qualified relatives" the authority to consent to medical and dental treatment, while "non-relative" caregivers may only consent to "school-related medical care" for a child. CAAs do not expire, but caregivers must notify schools, health care providers, or health care service plan providers if they are no longer living with the minor, which invalidates the CAA upon receipt of the notice. According to California law, schools and medical care providers must accept a CAA if it is completed correctly. AB 495 would clarify that a CAA remains valid until a parent, legal guardian, or person with legal custody rescinds the affidavit.

DEPARTMENTS NOTIFIED

Community Investment for Families Department

BILL STATUS

6/4/25	Ordered to Committee on Rules
6/3/25	Passed, ordered to Senate
4/30/25	Passed, re-referred to Committee on Appropriations
4/23/25	Amended, re-referred to Committee on Human Services
4/22/25	Passed, re-referred to Committee on Human Services
4/21/25	Amended, re-referred to Committee on Judiciary
3/24/25	Amended, re-referred to Committee on Judiciary
3/24/25	Referred to Committees on Judiciary and Human Services
2/10/25	Introduced



Susan Oh
Analyst

Attachment: Resolution (Padilla – Jurado)

RESOLUTION

RULES, ELECTIONS, INTERGOVERNMENTAL RELATIONS

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council; and

WHEREAS, several federal immigration policies in recent years have contributed to increases in the separation of families and number of unaccompanied children; and

WHEREAS, stable caregiving arrangements are essential for the health, safety, and emotional well-being of children, particularly in times of crisis; and

WHEREAS, under existing law, caregivers who are at least 18 years old and sign a Caregiver's Authorization Affidavit (CAA) for a minor who lives in their home is authorized to consent to school-related and medical care on behalf of the minor; and

WHEREAS, a CAA becomes invalid after a school, health care provider, or health service plan receives notice that the minor is no longer living with the caregiver; and

WHEREAS, despite CAAs and guardianship nominations, families and caregivers face significant uncertainty due to the lack of clarity, consistency, and enforceability of these mechanisms by schools and service providers; and

WHEREAS, currently pending before the State Assembly is Assembly Bill (AB) 495 (Rodriguez), the 'Family Safety Plan Act,' which would expand the definition of a caregiver to include nonrelative, extended family members who do not reside with the minor and provide that a CAA is valid until the parent, legal guardian, person with legal custody, or caregiver of a minor rescinds the affidavit; and

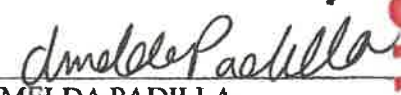
WHEREAS, AB 495 would also prohibit licensed child care facilities from collecting information regarding the citizenship or immigration status of children or their family members and require they report to the California Department of Social Services and Attorney General of any requests for information or access to the facility by an immigration enforcement agent; and

WHEREAS, AB 495 would encourage schools and child care facilities to work with parents to update emergency contact information and require them to abide by parental instructions relating to a child's care if they are aware that a child's parent is not available to care for the child; and

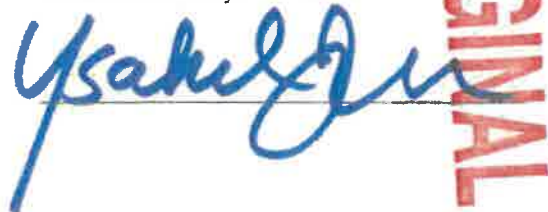
WHEREAS, AB 495 would support immigrant and mixed-status families by ensuring safety plans are in place in case of immigration enforcement actions;

NOW, THEREFORE, BE IT RESOLVED, that by adoption of this Resolution, the City of Los Angeles hereby includes in its 2025-26 State Legislative Program, SUPPORT for Assembly Bill 495 (Rodriguez) to expand the definition of a caregiver for minors under 18 years of age, prohibit child care facilities from collecting citizenship / immigration status information, and clarify emergency plan requirements and protocols in schools and child care facilities in the event that a child's parent is not available.

PRESENTED BY:


IMELDA PADILLA
Councilmember, 6th District

SECONDED BY:



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ORIGINAL