

Assembly Bill No. 495

CHAPTER 664

An act to amend Section 234.7 of the Education Code, to amend Sections 6550 and 6552 of the Family Code, to add Chapter 3.62 (commencing with Section 1597.640) to Division 2 of the Health and Safety Code, and to amend Sections 1502 and 2105 of the Probate Code, relating to immigration.

[Approved by Governor October 12, 2025. Filed with Secretary
of State October 12, 2025.]

LEGISLATIVE COUNSEL'S DIGEST

AB 495, Celeste Rodriguez. Family Preparedness Plan Act of 2025.

(1) Under existing law, a caregiver who is 18 years of age or older and signs a caregiver's authorization affidavit under penalty of perjury for a minor who lives in their home is authorized to enroll the minor in school and consent to school-related medical care on behalf of the minor. Under existing law, a caregiver who is 18 years of age or older, signs the caregiver's authorization affidavit under penalty of perjury, and who is a certain type of relative of the minor who lives in their home, has the same rights to authorize medical care and dental care for the minor that are given to guardians, as specified. Under existing law, a person who acts in good faith reliance on a completed caregiver's authorization affidavit to provide medical or dental care, without actual knowledge of facts contrary to those stated on the affidavit, is not subject to criminal or civil liability or professional disciplinary action for that reliance, but is not relieved from liability for violations of other provisions of law.

This bill, the Family Preparedness Plan Act of 2025, would revise the definition of relative to expand the type of relative who is authorized to execute a caregiver's authorization affidavit and grant them the same rights to authorize school-related medical care, as defined, for the minor that are given to guardians, as specified. By expanding who is authorized to sign a caregiver's authorization affidavit for these purposes under penalty of perjury, this bill would expand the crime of perjury, thereby imposing a state-mandated local program.

This bill would amend the statutory form for a caregiver's authorization affidavit.

(2) Existing law generally provides for the establishment and administration of guardianships. Existing law authorizes a court to appoint joint guardians of a person, an estate, or a person and an estate. Existing law requires a nomination of a guardian to become effective when made, and remain effective, unless stated otherwise in writing, as specified.

This bill would authorize a court, in its discretion, to appoint a custodial parent and a person nominated by the custodial parent as joint guardians of

the person of the minor, if the custodial parent will be temporarily unavailable due to specified circumstances, including, among other things, an immigration-related administrative action, as specified. The bill would make all records, petitions, orders, and documents related to these proceedings confidential, as specified.

The bill would provide that absence is a basis for a delayed effectiveness of a guardianship and that such circumstances would not be a basis for subsequent legal incapacity for the nomination.

(3) Existing law prohibits, except as required by state or federal law or as required to administer a state or federally supported educational program, school officials and employees of a local educational agency, as defined, from collecting information or documents regarding citizenship or immigration status of pupils or their family members. Existing law requires the governing board or body of a local educational agency to perform specified actions relating to pupils and immigration status, including, among others, providing information to parents and guardians, as appropriate, regarding their child's right to a free public education, regardless of immigration status or religious beliefs. Existing law requires the Attorney General, by April 1, 2018, in consultation with the appropriate stakeholders, to publish model policies limiting assistance with immigration enforcement at public schools, to the fullest extent possible consistent with federal and state law, as specified. Existing law requires all local educational agencies to adopt the model policies developed by the Attorney General, or equivalent policies, by July 1, 2018.

This bill would revise the information disclosure requirements to require the governing board or body of a local educational agency to provide information related to specified guidance on immigration enforcement issued by the Attorney General and would require that information to be revised as necessary to be consistent with any revisions or updates to the Attorney General's guidance. This bill would also require local educational agencies to revise their model policies as necessary to be consistent with any revisions or updates to the model policies developed by the Attorney General, as specified. By imposing additional duties on local educational agencies, the bill would impose a state-mandated local program.

(4) Existing law, the California Child Day Care Facilities Act, provides for the licensure and regulation of child daycare facilities, including daycare centers and daycare homes, by the State Department of Social Services. The act exempts certain types of facilities from licensure under its provisions, including California state preschool programs that meet certain requirements, including, among other things, that the programs are operated by local educational agencies in a school building.

Similar to the provisions related to local educational agencies described above, this bill would prohibit licensed child daycare facilities, as defined, employees of licensed child daycare facilities, and license-exempt California state preschool program facilities from collecting information or documents regarding citizenship or immigration status of children or their family members, except as required by state or federal law or as required to

administer a state or federally supported educational program. The bill would require the licensee or administrator of a licensed child day care facility, as applicable, to report to the department and the Attorney General any requests for information or access to the facility by an officer or employee of a law enforcement agency. The bill would authorize license-exempt California state preschool program facilities to make that report to the State Department of Education and the Attorney General. The bill would require the State Department of Social Services to provide any information on California state preschool programs collected pursuant to those provisions to the Superintendent of Public Instruction. The bill would require a licensed child daycare facility and a license-exempt California state preschool program facility to first exhaust any parental instruction relating to the child's care found in the child's emergency contact information if an employee of the facility is aware that a child's parent or authorized representative is not available to care for the child. The bill would require licensees or administrators of those facilities to request that parents or authorized representatives update their emergency contact information. The bill would require the Attorney General, by April 1, 2026, in consultation with the appropriate stakeholders, to publish model policies limiting assistance with immigration enforcement at child daycare facilities and license-exempt California state preschool program facilities similar to the model policies developed for local educational agencies described above. The bill would require the State Department of Social Services to inform licensed daycare facilities, and the State Department of Education to inform license-exempt California state preschool program facilities, of the model policies. The bill would require all California state preschool programs to adopt the model policies developed by the Attorney General, or equivalent policies, as soon as possible, but in no event later than July 1, 2026. The bill would require California state preschool programs to update these policies to conform with any revisions or updates to the model policies developed by the Attorney General. The bill would require a licensed child daycare facility and license-exempt California state preschool program facilities to provide the parent or authorized representative with information about how to access those model policies. The bill would require the State Department of Social Services to inform licensed child day care facilities, and the State Department of Education to inform license-exempt California state preschool program facilities, of any revisions or updates to the model policies and require any information, policies, or guidance provided by facilities to parents or authorized representatives to be updated to include any revisions or updates to the model policies issued by the Attorney General. The bill would authorize the State Department of Social Services to administer these provisions by interim licensing standards until regulations are adopted.

(5) This bill would provide that its provisions are severable.

(6) Existing constitutional provisions require a statute that limits the right of access to the meetings of public bodies or the writings of public officials

and agencies to be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

(7) 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 with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

This bill would incorporate additional changes to Section 234.7 of the Education Code proposed by AB 49, AB 419, or both, to be operative only if this bill and AB 49, AB 419, or both, are enacted and this bill is enacted last.

The people of the State of California do enact as follows:

SECTION 1. This act shall be known, and may be cited, as the Family Preparedness Plan Act of 2025.

SEC. 2. The Legislature finds and declares all of the following:

(a) Several federal immigration policies in recent years have contributed to increases in the number of unaccompanied children. Separation of a child from their parent or primary caregiver has known developmental, psychological, and physical impacts. Younger children are especially vulnerable. During these early years, children are developing emotionally and physically, and forming attachments that help with emotional regulation, sense of identity, and psychological safety. Separating parents and caregivers who are key attachment figures during this vulnerable period can have lifelong impacts on children's emotional and physical wellbeing.

(b) Stable caregiving arrangements are essential for the health, safety, and emotional well-being of children, particularly in times of crisis. Immigration enforcement activities that separate parents and caregivers from their families or their workplace are highly disruptive for children and youth in their care.

(c) Despite existing tools, such as caregiver authorization affidavits and guardianship nominations, families and caregivers face significant uncertainty due to the lack of clarity, consistency, and enforceability of these mechanisms, resulting in schools and service providers refusing to accept them. Temporary and general guardianship options, while available, fail to adequately safeguard the rights of parents—particularly immigrant parents—to remain involved in their child's upbringing during periods of immigration detention or deportation. These gaps in the legal framework exacerbate the emotional trauma experienced by children, disrupt access to education and health care, and hinder the ability of families to respond

effectively to crises. It is the intent of the Legislature to strengthen parental rights and family options.

(d) To address these challenges, the Legislature seeks to ensure that children facing the risk of family separation due to a parent's immigration status have stable and legally recognized caregiving arrangements that protect their emotional and physical well-being. The intent of the Legislature is to provide clear and streamlined processes for short-term guardianships that address urgent needs, such as medical care and educational decisionmaking, while upholding the rights of parents. It is also the intent of the Legislature to refine the scope of guardianship nominations by delineating the rights and responsibilities of nominated guardians. Finally, it is the intent of the Legislature to clarify the powers granted under caregiver authorization affidavits to ensure consistent recognition by schools, health care providers, and other agencies to demonstrate continued support for children who reside with a relative caregiver.

(e) By establishing a more coherent legal structure, it is the intent of the Legislature to reduce uncertainty and administrative barriers, enabling families to act swiftly and effectively in times of crisis. Supporting the stability of caregiving arrangements will mitigate the negative impacts on children's mental health, educational outcomes, and overall well-being. These efforts reflect California's commitment to protecting vulnerable families and upholding the fundamental rights of children and parents.

SEC. 3. Section 234.7 of the Education Code is amended to read:

234.7. (a) Except as required by state or federal law or as required to administer a state or federally supported educational program, school officials and employees of a local educational agency shall not collect information or documents regarding citizenship or immigration status of pupils or their family members.

(b) The superintendent of a school district, the superintendent of a county office of education, and the principal of a charter school, as applicable, shall report to the respective governing board or body of the local educational agency in a timely manner any requests for information or access to a schoolsite by an officer or employee of a law enforcement agency for the purpose of enforcing the immigration laws in a manner that ensures the confidentiality and privacy of any potentially identifying information.

(c) If an employee of a school is aware that a pupil's parent or guardian is not available to care for the pupil, the school shall first exhaust any parental instruction relating to the pupil's care in the emergency contact information it has for the pupil to arrange for the pupil's care. A school is encouraged to work with parents or guardians to update their emergency contact information and not to contact Child Protective Services to arrange for the pupil's care unless the school is unable to arrange for care through the use of emergency contact information or other information or instructions provided by the parent or guardian.

(d) The governing board or body of a local educational agency shall do all of the following:

(1) Provide information to parents and guardians, as appropriate, regarding their child's right to a free public education, regardless of immigration status or religious beliefs. This information shall include information relating to "Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues" issued by the Attorney General on January 6, 2025, including, but not limited to, information related to plans for family safety, the caregiver's authorization affidavit in Section 6552 of the Family Code, and the importance of providing the school with, and regularly updating, emergency contact information, including secondary and additional contact information. The provided information shall be revised as necessary to be consistent with any revisions or updates to the guidance issued by the Attorney General. The information may be provided in the annual notification to parents and guardians pursuant to Section 48980 or any other cost-effective means determined by the local educational agency.

(2) Educate pupils about the negative impact of bullying other pupils based on their actual or perceived immigration status or their religious beliefs and customs.

(e) This section does not prohibit the governing board or body of a local educational agency from establishing stronger standards and protections.

(f) (1) The Attorney General, by April 1, 2018, in consultation with the appropriate stakeholders, shall publish model policies limiting assistance with immigration enforcement at public schools, to the fullest extent possible consistent with federal and state law, and ensuring that public schools remain safe and accessible to all California residents, regardless of immigration status. The Attorney General shall, at a minimum, consider all of the following issues when developing the model policies:

(A) Procedures related to requests for access to school grounds for purposes related to immigration enforcement.

(B) Procedures for local educational agency employees to notify the superintendent of the school district or the superintendent's designee, the superintendent of the county office of education or the superintendent's designee, or the principal of the charter school or the principal's designee, as applicable, if an individual requests or gains access to school grounds for purposes related to immigration enforcement.

(C) Procedures for responding to requests for personal information about pupils or their family members for purposes of immigration enforcement.

(2) 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 Department of Justice may implement, interpret, or make specific this section without taking any regulatory action.

(g) All local educational agencies shall adopt the model policies developed pursuant to subdivision (f), or equivalent policies, by July 1, 2018, and revise their model policies as necessary to be consistent with any revisions or updates to the model policies developed by the Attorney General, including "Promoting a Safe and Secure Learning Environment for All:

Guidance and Model Policies to Assist California’s K–12 Schools in Responding to Immigration Issues” issued by the Attorney General on January 6, 2025, including, but not limited to, information related to plans for family safety, the caregiver’s authorization affidavit in Section 6552 of the Family Code, and the importance of providing the school with, and regularly updating, emergency contact information, including secondary and additional contact information.

(h) For purposes of this section, “local educational agency” means a school district, county office of education, or charter school.

SEC. 3.1. Section 234.7 of the Education Code is amended to read:

234.7. (a) Except as required by state or federal law or as required to administer a state or federally supported educational program, school officials and employees of a local educational agency shall not do either of the following:

(1) Collect information or documents regarding citizenship or immigration status of pupils or their family members.

(2) Allow an officer or employee of an agency conducting immigration enforcement to enter a nonpublic area of a schoolsite for any purpose without being presented with a valid judicial warrant or judicial subpoena, or a court order. Any school official or employee of a local educational agency shall, to the extent practicable, request a valid identification from an officer or employee of an agency conducting immigration enforcement seeking to enter a nonpublic area of a schoolsite. This subdivision shall not be construed to limit a local educational agency’s or school official’s right to consult with counsel or challenge the validity of a warrant, subpoena, or court order in a court of competent jurisdiction.

(b) A local educational agency and its personnel, to the extent practicable, shall not disclose or provide in writing, verbally, or in any other manner, the education records of or any information about a pupil or a pupil’s family and household without the pupil’s parents’ or guardians’ written consent, a school employee, or a teacher, including, but not limited to, personal information as defined in subdivision (a) of Section 1798.3 of the Civil Code, information about a pupil’s home, and information about a pupil’s travel schedule, to an officer or employee of an agency conducting immigration enforcement absent a valid judicial warrant or judicial subpoena, or court order directing the local educational agency or its personnel to do so. Any disclosure of a pupil’s education records pursuant to a valid judicial warrant or judicial subpoena, or court order shall be in accordance with the parent notification requirements set forth in Section 99.31(a)(9)(ii) of Title 34 of the Code of Federal Regulations.

(c) The superintendent of a school district, the superintendent of a county office of education, and the principal of a charter school, as applicable, shall report to the respective governing board or body of the local educational agency in a timely manner any requests for information or access to a schoolsite by an officer or employee of a law enforcement agency for the purpose of enforcing the immigration laws in a manner that ensures the confidentiality and privacy of any potentially identifying information.

(d) If an employee of a school is aware that a pupil's parent or guardian is not available to care for the pupil, the school shall first exhaust any parental instruction relating to the pupil's care in the emergency contact information it has for the pupil to arrange for the pupil's care. A school is encouraged to work with parents or guardians to update their emergency contact information and not to contact Child Protective Services to arrange for the pupil's care unless the school is unable to arrange for care through the use of emergency contact information or other information or instructions provided by the parent or guardian.

(e) The governing board or body of a local educational agency shall do all of the following:

(1) Provide information to parents and guardians, as appropriate, regarding their child's right to a free public education, regardless of immigration status or religious beliefs. This information shall include information relating to "Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues" issued by the Attorney General on January 6, 2025, including, but not limited to, information related to plans for family safety, the caregiver's authorization affidavit in Section 6552 of the Family Code, and the importance of providing the school with, and regularly updating, emergency contact information, including secondary and additional contact information. The provided information shall be revised as necessary to be consistent with any revisions or updates to the guidance issued by the Attorney General. The information may be provided in the annual notification to parents and guardians pursuant to Section 48980 or any other cost-effective means determined by the local educational agency.

(2) Educate pupils about the negative impact of bullying other pupils based on their actual or perceived immigration status or their religious beliefs and customs.

(f) This section does not prohibit the governing board or body of a local educational agency from establishing stronger standards and protections.

(g) (1) The Attorney General, by April 1, 2018, in consultation with the appropriate stakeholders, shall publish model policies limiting assistance with immigration enforcement at public schools, to the fullest extent possible consistent with federal and state law, and ensuring that public schools remain safe and accessible to all California residents, regardless of immigration status. The Attorney General shall, at a minimum, consider all of the following issues when developing the model policies:

(A) Procedures related to requests for access to school grounds for purposes related to immigration enforcement.

(B) Procedures for local educational agency employees to notify the superintendent of the school district or the superintendent's designee, the superintendent of the county office of education or the superintendent's designee, or the principal of the charter school or the principal's designee, as applicable, if an individual requests or gains access to school grounds for purposes related to immigration enforcement.

(C) Procedures for responding to requests for personal information about pupils or their family members for purposes of immigration enforcement.

(2) The Attorney General shall, no later than December 1, 2025, update the model policies described in paragraph (1) to ensure that these policies align with the prohibition applicable to school officials and employees of local educational agencies as described in paragraph (2) of subdivision (a), and the requirements for local educational agencies, as described in this section.

(3) 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 Department of Justice may implement, interpret, or make specific this section without taking any regulatory action.

(h) All local educational agencies shall do all of the following:

(1) Adopt the model policies developed pursuant to paragraph (1) of subdivision (g), or equivalent policies, by July 1, 2018.

(2) Revise their model policies as necessary to be consistent with any revisions or updates to the model policies developed by the Attorney General, including “Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California’s K–12 Schools in Responding to Immigration Issues” issued by the Attorney General on January 6, 2025, including, but not limited to, information related to plans for family safety, the caregiver’s authorization affidavit in Section 6552 of the Family Code, and the importance of providing the school with, and regularly updating, emergency contact information, including secondary and additional contact information.

(3) Update their model policies to align with this section, including paragraph (2) of subdivision (g), by March 1, 2026.

(i) This section does not prohibit or restrict any governmental entity or official from sending to, or receiving from, federal immigration authorities, information regarding the citizenship or immigration status, lawful or unlawful, of an individual, or from requesting from federal immigration authorities immigration status information, lawful or unlawful, of any individual, or maintaining or exchanging that information with any other federal, state, or local governmental entity, pursuant to Sections 1373 and 1644 of Title 8 of the United States Code.

(j) A local educational agency shall maintain its policy adopted pursuant to subdivision (h) and make the policy available to the department upon request.

(k) Local educational agencies may be subject to monitoring and auditing by the department to ensure compliance with the requirements of subdivisions (h) and (j).

(l) For purposes of this section, the following definitions apply:

(1) “Immigration enforcement” includes any and all efforts to investigate, enforce, or assist in the investigation or enforcement of any federal civil immigration law, and any and all efforts to investigate, enforce, or assist in the investigation or enforcement of any federal criminal immigration law

that penalizes a person's presence in, entry, or reentry to, or employment in, the United States.

(2) "Local educational agency" means a school district, county office of education, or charter school.

(3) "Schoolsite" means an individual school campus of a school district, county office of education, or charter school, an area where a local educational agency's school-sponsored activity is currently being held, or a schoolbus or other transportation provided by a local educational agency.

SEC. 3.2. Section 234.7 of the Education Code is amended to read:

234.7. (a) Except as required by state or federal law or as required to administer a state or federally supported educational program, school officials and employees of a local educational agency shall not collect information or documents regarding citizenship or immigration status of pupils or their family members.

(b) The superintendent of a school district, the superintendent of a county office of education, and the principal of a charter school, as applicable, shall report to the respective governing board or body of the local educational agency in a timely manner any requests for information or access to a schoolsite by an officer or employee of a law enforcement agency for the purpose of enforcing the immigration laws in a manner that ensures the confidentiality and privacy of any potentially identifying information.

(c) If an employee of a school is aware that a pupil's parent or guardian is not available to care for the pupil, the school shall first exhaust any parental instruction relating to the pupil's care in the emergency contact information it has for the pupil to arrange for the pupil's care. A school is encouraged to work with parents or guardians to update their emergency contact information and not to contact a child protective services agency to arrange for the pupil's care unless the school is unable to arrange for care through the use of emergency contact information or other information or instructions provided by the parent or guardian.

(d) The governing board or body of a local educational agency shall do all of the following:

(1) (A) Provide information to parents and guardians, as appropriate, regarding their child's right to a free public education, regardless of immigration status or religious beliefs. This information shall include information relating to both of the following:

(i) The Immigration-Enforcement Actions at California Schools Guide for Students and Families, also known as "Know Your Educational Rights," developed by the Attorney General.

(ii) "Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues" issued by the Attorney General on January 6, 2025, including, but not limited to, information related to plans for family safety, the caregiver's authorization affidavit in Section 6552 of the Family Code, and the importance of providing the school with, and regularly updating, emergency contact information, including secondary and additional contact information. The provided information shall be revised

as necessary to be consistent with any revisions or updates to the guidance issued by the Attorney General.

(B) The information may be provided in the annual notification to parents and guardians pursuant to Section 48980 or any other cost-effective means determined by the local educational agency.

(C) The guide specified in clause (i) subparagraph (A) shall be posted in the administrative buildings and on the internet websites of the local educational agency and each of its schoolsites. The guide shall be posted in every language that the Attorney General provides and shall be updated the school year following any updates published by the Attorney General.

(2) Educate pupils about the negative impact of bullying other pupils based on their actual or perceived immigration status or their religious beliefs and customs.

(e) This section does not prohibit the governing board or body of a local educational agency from establishing stronger standards and protections.

(f) (1) The Attorney General, by April 1, 2018, in consultation with the appropriate stakeholders, shall publish model policies limiting assistance with immigration enforcement at public schools, to the fullest extent possible consistent with federal and state law, and ensuring that public schools remain safe and accessible to all California residents, regardless of immigration status. The Attorney General shall, at a minimum, consider all of the following issues when developing the model policies:

(A) Procedures related to requests for access to school grounds for purposes related to immigration enforcement.

(B) Procedures for local educational agency employees to notify the superintendent of the school district or the superintendent's designee, the superintendent of the county office of education or the superintendent's designee, or the principal of the charter school or the principal's designee, as applicable, if an individual requests or gains access to school grounds for purposes related to immigration enforcement.

(C) Procedures for responding to requests for personal information about pupils or their family members for purposes of immigration enforcement.

(2) 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 Department of Justice may implement, interpret, or make specific this section without taking any regulatory action.

(g) All local educational agencies shall adopt the model policies developed pursuant to subdivision (f), or equivalent policies, by July 1, 2018, and revise their model policies as necessary to be consistent with any revisions or updates to the model policies developed by the Attorney General, including "Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues" issued by the Attorney General on January 6, 2025, including, but not limited to, information related to plans for family safety, the caregiver's authorization affidavit in Section 6552 of the Family Code, and the importance of providing the school with, and

regularly updating, emergency contact information, including secondary and additional contact information.

(h) For purposes of this section, “local educational agency” means a school district, county office of education, or charter school.

SEC. 3.3. Section 234.7 of the Education Code is amended to read:

234.7. (a) Except as required by state or federal law or as required to administer a state or federally supported educational program, school officials and employees of a local educational agency shall not do either of the following:

(1) Collect information or documents regarding citizenship or immigration status of pupils or their family members.

(2) Allow an officer or employee of an agency conducting immigration enforcement to enter a nonpublic area of a schoolsite for any purpose without being presented with a valid judicial warrant or judicial subpoena, or a court order. Any school official or employee of a local educational agency shall, to the extent practicable, request a valid identification from an officer or employee of an agency conducting immigration enforcement seeking to enter a nonpublic area of a schoolsite. This subdivision shall not be construed to limit a local educational agency’s or school official’s right to consult with counsel or challenge the validity of a warrant, subpoena, or court order in a court of competent jurisdiction.

(b) A local educational agency and its personnel, to the extent practicable, shall not disclose or provide in writing, verbally, or in any other manner, the education records of or any information about a pupil or a pupil’s family and household without the pupil’s parents’ or guardians’ written consent, a school employee, or a teacher, including, but not limited to, personal information as defined in subdivision (a) of Section 1798.3 of the Civil Code, information about a pupil’s home, and information about a pupil’s travel schedule, to an officer or employee of an agency conducting immigration enforcement absent a valid judicial warrant or judicial subpoena, or court order directing the local educational agency or its personnel to do so. Any disclosure of a pupil’s education records pursuant to a valid judicial warrant or judicial subpoena, or court order shall be in accordance with the parent notification requirements set forth in Section 99.31(a)(9)(ii) of Title 34 of the Code of Federal Regulations.

(c) The superintendent of a school district, the superintendent of a county office of education, and the principal of a charter school, as applicable, shall report to the respective governing board or body of the local educational agency in a timely manner any requests for information or access to a schoolsite by an officer or employee of a law enforcement agency for the purpose of enforcing the immigration laws in a manner that ensures the confidentiality and privacy of any potentially identifying information.

(d) If an employee of a school is aware that a pupil’s parent or guardian is not available to care for the pupil, the school shall first exhaust any parental instruction relating to the pupil’s care in the emergency contact information it has for the pupil to arrange for the pupil’s care. A school is encouraged to work with parents or guardians to update their emergency

contact information and not to contact a child protective services agency to arrange for the pupil's care unless the school is unable to arrange for care through the use of emergency contact information or other information or instructions provided by the parent or guardian.

(e) The governing board or body of a local educational agency shall do all of the following:

(1) (A) Provide information to parents and guardians, as appropriate, regarding their child's right to a free public education, regardless of immigration status or religious beliefs. This information shall include information relating to both of the following:

(i) The Immigration-Enforcement Actions at California Schools Guide for Students and Families, also known as "Know Your Educational Rights," developed by the Attorney General.

(ii) "Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues" issued by the Attorney General on January 6, 2025, including, but not limited to, information related to plans for family safety, the caregiver's authorization affidavit in Section 6552 of the Family Code, and the importance of providing the school with, and regularly updating, emergency contact information, including secondary and additional contact information. The provided information shall be revised as necessary to be consistent with any revisions or updates to the guidance issued by the Attorney General.

(B) The information may be provided in the annual notification to parents and guardians pursuant to Section 48980 or any other cost-effective means determined by the local educational agency.

(C) The guide specified in clause (i) subparagraph (A) shall be posted in the administrative buildings and on the internet websites of the local educational agency and each of its schoolsites. The guide shall be posted in every language that the Attorney General provides and shall be updated the school year following any updates published by the Attorney General.

(2) Educate pupils about the negative impact of bullying other pupils based on their actual or perceived immigration status or their religious beliefs and customs.

(f) This section does not prohibit the governing board or body of a local educational agency from establishing stronger standards and protections.

(g) (1) The Attorney General, by April 1, 2018, in consultation with the appropriate stakeholders, shall publish model policies limiting assistance with immigration enforcement at public schools, to the fullest extent possible consistent with federal and state law, and ensuring that public schools remain safe and accessible to all California residents, regardless of immigration status. The Attorney General shall, at a minimum, consider all of the following issues when developing the model policies:

(A) Procedures related to requests for access to school grounds for purposes related to immigration enforcement.

(B) Procedures for local educational agency employees to notify the superintendent of the school district or the superintendent's designee, the

superintendent of the county office of education or the superintendent's designee, or the principal of the charter school or the principal's designee, as applicable, if an individual requests or gains access to school grounds for purposes related to immigration enforcement.

(C) Procedures for responding to requests for personal information about pupils or their family members for purposes of immigration enforcement.

(2) The Attorney General shall, no later than December 1, 2025, update the model policies described in paragraph (1) to ensure that these policies align with the prohibition applicable to school officials and employees of local educational agencies as described in paragraph (2) of subdivision (a), and the requirements for local educational agencies, as described in this section.

(3) 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 Department of Justice may implement, interpret, or make specific this section without taking any regulatory action.

(h) All local educational agencies shall do all of the following:

(1) Adopt the model policies developed pursuant to paragraph (1) of subdivision (g), or equivalent policies, by July 1, 2018.

(2) Revise their model policies as necessary to be consistent with any revisions or updates to the model policies developed by the Attorney General, including "Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues" issued by the Attorney General on January 6, 2025, including, but not limited to, information related to plans for family safety, the caregiver's authorization affidavit in Section 6552 of the Family Code, and the importance of providing the school with, and regularly updating, emergency contact information, including secondary and additional contact information.

(3) Update their model policies to align with this section, including paragraph (2) of subdivision (g), by March 1, 2026.

(i) This section does not prohibit or restrict any governmental entity or official from sending to, or receiving from, federal immigration authorities, information regarding the citizenship or immigration status, lawful or unlawful, of an individual, or from requesting from federal immigration authorities immigration status information, lawful or unlawful, of any individual, or maintaining or exchanging that information with any other federal, state, or local governmental entity, pursuant to Sections 1373 and 1644 of Title 8 of the United States Code.

(j) A local educational agency shall maintain its policy adopted pursuant to subdivision (h) and make the policy available to the department upon request.

(k) Local educational agencies may be subject to monitoring and auditing by the department to ensure compliance with the requirements of subdivisions (h) and (j).

(l) For purposes of this section, the following definitions apply:

(1) “Immigration enforcement” includes any and all efforts to investigate, enforce, or assist in the investigation or enforcement of any federal civil immigration law, and any and all efforts to investigate, enforce, or assist in the investigation or enforcement of any federal criminal immigration law that penalizes a person’s presence in, entry, or reentry to, or employment in, the United States.

(2) “Local educational agency” means a school district, county office of education, or charter school.

(3) “Schoolsite” means an individual school campus of a school district, county office of education, or charter school, an area where a local educational agency’s school-sponsored activity is currently being held, or a schoolbus or other transportation provided by a local educational agency.

SEC. 4. Section 6550 of the Family Code is amended to read:

6550. (a) A caregiver’s authorization affidavit that meets the requirements of this part authorizes a caregiver 18 years of age or older who completes items 1 to 4, inclusive, of the affidavit provided in Section 6552 and signs the affidavit to enroll a minor in school and consent to school-related medical care on behalf of the minor. A caregiver who is a relative and who completes items 1 to 8, inclusive, of the affidavit provided in Section 6552 and signs the affidavit shall have the same rights to authorize medical care and dental care for the minor that are given to guardians under Section 2353 of the Probate Code. The medical care authorized by this caregiver who is a relative may include mental health treatment subject to the limitations of Section 2356 of the Probate Code.

(b) The decision of a caregiver to consent to or to refuse medical or dental care for a minor shall be superseded by any contravening decision of the parent or other person having legal custody of the minor, provided the decision of the parent or other person having legal custody of the minor does not jeopardize the life, health, or safety of the minor.

(c) A person who acts in good faith reliance on a caregiver’s authorization affidavit to provide medical or dental care, without actual knowledge of facts contrary to those stated on the affidavit, is not subject to criminal liability or to civil liability to any person, and is not subject to professional disciplinary action, for that reliance if the applicable portions of the affidavit are completed. This subdivision applies even if medical or dental care is provided to a minor in contravention of the wishes of the parent or other person having legal custody of the minor as long as the person providing the medical or dental care has no actual knowledge of the wishes of the parent or other person having legal custody of the minor.

(d) A person who relies on the affidavit has no obligation to make any further inquiry or investigation.

(e) Nothing in this section relieves any individual from liability for violations of other provisions of law.

(f) If the minor stops living with the caregiver, the caregiver shall notify any school, health care provider, or health care service plan that has been given the affidavit. The affidavit is invalid after the school, health care

provider, or health care service plan receives notice that the minor is no longer living with the caregiver.

(g) A caregiver’s authorization affidavit shall be invalid, unless it substantially contains, in not less than 10-point boldface type or a reasonable equivalent thereof, the warning statements specified in Section 6552. The warning statements shall be enclosed in a box with 3-point type rule lines.

(h) For purposes of this part, the following terms have the following meanings:

(1) “Person” includes an individual, corporation, partnership, association, the state, or any city, county, city and county, or other public entity or governmental subdivision or agency, or any other legal entity.

(2) “Relative” means an adult who is related to the child by blood, adoption, or affinity within the fifth degree of kinship, including all stepparents, stepsiblings, and all relatives whose status is preceded by the words “great,” “great-great,” or “grand,” or the spouse of any of the persons specified in this definition, even after the marriage has been terminated by death or dissolution.

(3) “School-related medical care” means medical care, including immunizations, physical examinations, and medical examinations conducted in schools for pupils, that is required by state or local governmental authority as a condition for school enrollment or participation in local educational agency-related extracurricular activities.

SEC. 5. Section 6552 of the Family Code is amended to read:

6552. The caregiver’s authorization affidavit shall be in substantially the following form:

Caregiver’s Authorization Affidavit

Use of this affidavit is authorized by Part 1.5 (commencing with Section 6550) of Division 11 of the California Family Code.

Instructions: Completion of items 1–4 and the signing of the affidavit is sufficient to authorize enrollment of a minor in school and authorize school-related medical care. Completion of items 5–8 is additionally required to authorize any other medical care. Print clearly.

The minor named below lives in my home and I am 18 years of age or older.

- 1. Name of minor: _____.
- 2. Minor’s birth date: _____.
- 3. My name (adult giving authorization): _____.
- 4. My home address: _____
_____.

5. I am a relative of the child (see back of this form for a definition of “relative”).

6. Check one or both (for example, if one parent was advised and the other cannot be located):

I have advised the parent(s) or other person(s) having legal custody of the minor of my intent to authorize medical care, and have received no objection.

I am unable to contact the parent(s) or other person(s) having legal custody of the minor at this time, to notify them of my intended authorization.

7. My date of birth: _____.

8. My California driver’s license or identification card or government-issued consular card number: _____.

Warning to Caregiver: Do not sign this form if any of the statements above are incorrect, or you will be committing a crime punishable by a fine, imprisonment, or both.

Warning to Local Educational Agencies and Health Care Service Providers: A seal or signature from a court is not required. This form is not required to be notarized.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: _____ Signed: _____

Notices:

1. This declaration does not affect the rights of the minor’s parents or legal guardian regarding the care, custody, and control of the minor, and does not mean that the caregiver has legal custody of the minor.

2. A person who relies on this affidavit has no obligation to make any further inquiry or investigation.

Additional Information:

TO CAREGIVERS:

1. “Relative,” for purposes of item 5, means an adult who is related to the child by blood, adoption, or affinity within the fifth degree of kinship, including stepparents, stepsiblings, and all relatives whose status is preceded by the words “great,” “great-great,” or “grand,” or the spouse of any of these persons even if the marriage was terminated by death or dissolution.

2. The law may require you, if you are not a relative, or a currently licensed, certified, or approved foster parent, to obtain resource family approval pursuant to Section 1517 of the Health and Safety Code or Section 16519.5 of the Welfare and Institutions Code in order to care for a minor. If you have any questions, please contact your local department of social services.

3. If the minor stops living with you, the affidavit is no longer valid. You are required to notify any school, health care provider, or health care service plan to which you have given this affidavit that the minor is no longer living with you and that, as a result, the affidavit is no longer valid.

4. If you do not have the information requested in item 8 (California driver’s license or I.D., or government-issued consular card), provide another form of identification such as your social security number or Medi-Cal number.

TO SCHOOL OFFICIALS:

1. Section 48204 of the Education Code provides that this affidavit constitutes a sufficient basis for a determination of residency of the minor, without the requirement of a guardianship or other custody order, unless the school district determines from actual facts that the minor is not living with the caregiver.

2. The school district may require additional reasonable evidence that the caregiver lives at the address provided in item 4.

3. A seal or signature of the court is not required. This form is not required to be notarized.

TO HEALTH CARE PROVIDERS AND HEALTH CARE SERVICE PLANS:

1. When signed by a relative, this affidavit shall confer the same rights to authorize medical care and dental care for the minor that are given to guardians under Section 2353 of the Probate Code. The medical care

authorized by a relative caregiver may include mental health treatment subject to the limitations of Section 2356 of the Probate Code.

2. A health care service provider who acts in good faith reliance upon a caregiver’s authorization affidavit to provide medical or dental care, without actual knowledge of facts contrary to those stated on the affidavit, is not subject to criminal liability or to civil liability to any person, and is not subject to professional disciplinary action, for that reliance if the applicable portions of the form are completed. A seal or signature of the court is not required. This form is not required to be notarized.

3. This affidavit does not confer dependency for health care coverage purposes.

SEC. 6. Chapter 3.62 (commencing with Section 1597.640) is added to Division 2 of the Health and Safety Code, to read:

CHAPTER 3.62. FAMILY PREPAREDNESS IN LICENSED CHILD DAYCARE FACILITIES

1597.640. (a) Except as required by state or federal or as required to administer a state or federally supported educational program, licensed child daycare facilities, employees of licensed child daycare facilities, and license-exempt California state preschool program facilities shall not collect information or documents regarding citizenship or immigration status of children or their family members.

(b) (1) (A) The licensee or administrator of a licensed child daycare facility, as applicable, shall report to the State Department of Social Services and Attorney General any requests for information or access to the facility by an officer or employee of a law enforcement agency, for the purpose of immigration enforcement. The licensee or administrator shall not provide the personal information, as defined in Section 1798.3 of the Civil Code, of staff, children in care, or their relatives and family members, except that a licensee or administrator of a licensed child daycare facility may provide to the State Department of Social Services and Attorney General documentation that the licensee or administrator has received from an officer or employee of a law enforcement agency that includes that personal information.

(B) A license-exempt California state preschool program facility may submit the report described in subparagraph (A) to the State Department of Education and Attorney General. If the report is submitted, the facility shall ensure the confidentiality and privacy of any information in accordance with the right to privacy contained in Section 1 of Article I of the California Constitution. An individual making a report pursuant to this paragraph shall not be required to offer or submit any personally identifying information, including, but not limited to, their name, phone number, or address.

(2) The State Department of Social Services and the State Department of Education is not responsible for confirming whether a report was made to the Attorney General, as described in paragraph (1), and failing to make that report to the Attorney General is not a violation of this section.

(3) The State Department of Social Services shall provide any information on licensed California state preschool program facilities collected pursuant to this subdivision to the Superintendent of Public Instruction for legislative reporting purposes.

(c) A licensee or administrator of a licensed child daycare facility or a license-exempt California state preschool program facility shall request parents or authorized representatives to review and update their emergency contact information, as needed.

(d) If a licensee, administrator, or worker, or any other representative, of a licensed child daycare facility or a license-exempt California state preschool program facility is aware that a child's parent or authorized representative is not available to care for the child, the facility shall first exhaust any parental instruction relating to the child's care found in the child's emergency contact information.

(e) Nothing in this section prohibits a licensed child daycare facility or a license-exempt California state preschool program facility from establishing stronger standards and protections, in accordance with applicable laws.

(f) (1) The Attorney General, by April 1, 2026, in consultation with the appropriate stakeholders, including, but not limited to, child daycare licensees, the State Department of Social Services, the State Department of Education, and the Early Childhood Policy Council established pursuant to Section 10320 of the Welfare and Institutions Code, shall publish model policies limiting assistance with immigration enforcement at licensed child daycare facilities and license-exempt California state preschool program facilities to the fullest extent possible consistent with federal and state law, and ensuring that those facilities remain safe and accessible to all California residents, regardless of immigration status. The Attorney General shall, at a minimum, consider all of the following issues when developing the model policies:

(A) Procedures related to requests for access to facility grounds for purposes related to immigration enforcement.

(B) Procedures for facility employees to notify the licensee or administrator of the facility, as applicable, if an individual requests or gains access to facility grounds for purposes related to immigration enforcement.

(C) Procedures for responding to requests for personal information about children or their family members for purposes of immigration enforcement.

(2) 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 Department of Justice may implement, interpret, or make specific this section without taking any regulatory action.

(g) (1) The State Department of Social Services shall inform licensed child daycare facilities, and the State Department of Education shall inform license-exempt California state preschool program facilities, of the model policies published by the Attorney General pursuant to subdivision (f).

(2) All California state preschool programs, including both those that are licensed and those that are license-exempt, shall adopt the model policies developed pursuant to subdivision (f), or equivalent policies, as soon as possible, but in no event later than July 1, 2026. Those California state preschool programs shall update these policies to conform with any revisions or updates to the model policies developed by the Attorney General.

(3) A licensed child daycare facility and license-exempt California state preschool program facilities shall ensure parents or authorized representatives of children in care are aware of the model policies published by the Attorney General pursuant to subdivision (f), including, but not limited to, how to obtain a copy of the model policies.

(h) (1) A licensed child daycare facility and a license-exempt California state preschool program facility shall provide a child’s parent or authorized representative with information about how to access the model policies described in paragraph (1) of subdivision (f) as best practices guidance.

(2) The State Department of Social Services shall inform licensed child day care facilities, and the State Department of Education shall inform license-exempt California state preschool program facilities, of any revisions or updates to the model policies described in paragraph (1) of subdivision (f) when the applicable department is notified by the Attorney General of updates to the model policies.

(3) Any information, policies, or guidance provided by facilities to parents or authorized representatives shall be revised as necessary to be consistent with any revisions or updates to the model policies issued by the Attorney General.

(i) For purposes of this section, the following terms have the following meanings:

(1) “California state preschool program” means any classroom that is funded, in whole or in part, by funds received pursuant to Section 8207 of the Education Code.

(2) “License-exempt California state preschool program facility” means a California state preschool program that is exempt from licensure under the California Child Day Care Act pursuant to subdivision (o) of Section 1596.792.

(3) “Licensed child daycare facility” means a child daycare facility, as defined in Section 1596.750, that is licensed pursuant to the California Child Day Care Act.

(j) 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, make specific, and administer this section by means of interim licensing standards that shall have the same force and effect as regulations, until regulations are adopted.

SEC. 7. Section 1502 of the Probate Code is amended to read:

1502. (a) A nomination of a guardian under this article may be made in the petition for the appointment of the guardian or at the hearing on the petition or in a writing signed either before or after the petition for the appointment of the guardian is filed. The court shall give due weight to the nomination of a guardian of the person pursuant to Section 3043 of the Family Code.

(b) The nomination of a guardian under this article is effective when made except that a writing nominating a guardian under this article may provide that the nomination becomes effective only upon the occurrence of such condition or conditions as are specified in the writing, including, but not limited to, conditions as to the subsequent absence, legal incapacity, or death of the person making the nomination.

(c) Unless the writing making the nomination expressly otherwise provides, a nomination made under this article remains effective notwithstanding the subsequent absence, legal incapacity, or death of the person making the nomination.

SEC. 8. Section 2105 of the Probate Code is amended to read:

2105. (a) The court, in its discretion, may appoint for a ward or conservatee:

- (1) Two or more joint guardians or conservators of the person.
- (2) Two or more joint guardians or conservators of the estate.
- (3) Two or more joint guardians or conservators of the person and estate.

(b) When joint guardians or conservators are appointed, each shall qualify in the same manner as a sole guardian or conservator.

(c) Subject to subdivisions (d) and (e):

(1) Where there are two guardians or conservators, both must concur to exercise a power.

(2) Where there are more than two guardians or conservators, a majority must concur to exercise a power.

(d) If one of the joint guardians or conservators dies or is removed or resigns, the powers and duties continue in the remaining joint guardians or conservators until further appointment is made by the court.

(e) Where joint guardians or conservators have been appointed and one or more are (1) absent from the state and unable to act, (2) otherwise unable to act, or (3) legally disqualified from serving, the court may, by order made with or without notice, authorize the remaining joint guardians or conservators to act as to all matters embraced within its order.

(f) If a custodial parent has been diagnosed as having a terminal condition, as evidenced by a declaration executed by a licensed physician, the court, in its discretion, may appoint the custodial parent and a person nominated by the custodial parent as joint guardians of the person of the minor. However, this appointment shall not be made over the objection of a noncustodial parent without a finding that the noncustodial parent's custody would be detrimental to the minor, as provided in Section 3041 of the Family Code. It is the intent of the Legislature in enacting the amendments to this subdivision adopted during the 1995-96 Regular Session for a parent with

a terminal condition to be able to make arrangements for the joint care, custody, and control of their minor children so as to minimize the emotional stress of, and disruption for, the minor children whenever the parent is incapacitated or upon the parent's death, and to avoid the need to provide a temporary guardian or place the minor children in foster care, pending appointment of a guardian, as might otherwise be required.

“Terminal condition,” for purposes of this subdivision, means an incurable and irreversible condition that, without the administration of life-sustaining treatment, will, within reasonable medical judgment, result in death.

(g) (1) If a custodial parent is temporarily unavailable due to circumstances, including, but not limited to, a serious medical condition or disability, military service, incarceration, or an immigration-related administrative action, specified in the parent's nomination of a guardian, the court, in its discretion, may appoint the custodial parent and the person nominated by the custodial parent as joint guardians of the person of the minor. A nomination made pursuant to this subdivision shall not be made over the objection of a noncustodial parent without a finding that the noncustodial parent's custody would be detrimental to the minor, as provided in Section 3041 of the Family Code.

(2) If a parent appointed as a joint guardian pursuant to this subdivision files a petition to terminate the joint guardianship because the conditions specified in the nomination, or otherwise stated in the petition for guardianship, no longer impairs the parent's availability to provide care for their child, there shall be a presumption that termination would be in the child's best interest.

(3) All court records, petitions, orders, and documents related to the appointment of joint guardians pursuant to this subdivision shall be confidential, and shall be made available only to the persons who have been served in the proceeding and their attorneys, if applicable. The clerk of the court shall make provisions to limit access to these documents and any other information that personally identifies the minor, custodial parent, the appointed guardian, or family members who are a party to or identified in the proceeding.

(4) Consistent with Section 7284.6 of the Government Code, information contained in these records shall not be disclosed to law enforcement officers or agencies or any entity engaged in immigration enforcement without a court order.

SEC. 9. The provisions of this act are severable. If any provision of this act or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

SEC. 10. The Legislature finds and declares that Section 6 of this act, which adds Chapter 3.62 (commencing with Section 1597.640) to Division 2 of the Health and Safety Code, and Section 8 of this act, which amends Section 2105 of the Probate Code, imposes a limitation on the public's right of access to the meetings of public bodies or the writings of public officials and agencies within the meaning of Section 3 of Article I of the California

Constitution. Pursuant to that constitutional provision, the Legislature makes the following findings to demonstrate the interest protected by this limitation and the need for protecting that interest:

In order to protect the privacy interests of immigrants and their children, it is essential to maintain the confidentiality of the records and information described in Section 6 and Section 8 of this act.

SEC. 11. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution for certain costs that may be incurred by a local agency or school district because, in that regard, this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

However, if the Commission on State Mandates determines that this act contains other 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.

SEC. 12. (a) Section 3.1 of this bill incorporates amendments to Section 234.7 of the Education Code proposed by both this bill and Assembly Bill 49. That section of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2026, (2) each bill amends Section 234.7 of the Education Code, (3) Assembly Bill 419 is not enacted or as enacted does not amend that section, and (4) this bill is enacted after Assembly Bill 49, in which case Section 234.7 of the Education Code, as amended by Assembly Bill 49, shall remain operative only until the operative date of this bill, at which time Section 3.1 of this bill shall become operative, Sections 3, 3.2, and 3.3 of this bill shall not become operative.

(b) Section 3.2 of this bill incorporates amendments to Section 234.7 of the Education Code proposed by both this bill and Assembly Bill 419. That section of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2026, (2) each bill amends Section 234.7 of the Education Code, (3) Assembly Bill 49 is not enacted or as enacted does not amend that section, and (4) this bill is enacted after Assembly Bill 419, in which case Sections 3, 3.1, and 3.3 of this bill shall not become operative.

(c) Section 3.3 of this bill incorporates amendments to Section 234.7 of the Education Code proposed by this bill, Assembly Bill 49, and Assembly Bill 419. That section of this bill shall only become operative if (1) all three bills are enacted and become effective on or before January 1, 2026, (2) all three bills amend Section 234.7 of the Education Code, and (3) this bill is enacted after Assembly Bill 49 and Assembly Bill 419, in which case Section 234.7 of the Education Code, as amended by Assembly Bill 49, shall remain operative only until the operative date of this bill, at which time Section 3.3

of this bill shall become operative, and Sections 3, 3.1, and 3.2 of this bill shall not become operative.

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