

---

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

---

DIGEST

SB 33 Original

2026 Regular Session

McMath

Proposed law requires the Dept. of Children and Family Services to determine whether a child in custody of the department is receiving or is eligible to receive earned federal benefits. Proposed law further requires the determination to be made within 60 days of the child's entry into care.

Proposed law requires the department to apply for benefits on behalf of the child if the child is eligible and not receiving benefits.

Proposed law requires the department to consult with the child and the child's attorney to identify an appropriate representative payee and for the department to apply to serve as the representative payee if no other suitable candidate is available.

Proposed law requires the department to set up an account to conserve the child's benefits if the department is appointed as the representative payee and prohibits the department from using the child's benefits to pay or reimburse itself for the cost of the child's foster care.

Proposed law provides for annual accounting of the funds and notification to the child and the child's attorney.

Proposed law requires the department to notify the child and the child's attorney of any action taken by the department related to the child's benefits.

Proposed law requires the department to consult with the child's attorney and appeal if benefits are denied.

Proposed law requires the department to review each case annually to determine whether a child in care has become newly eligible for earned federal benefits after the department's initial determination.

Proposed law requires the department to release any conserved funds to the child or person responsible for the child upon the termination of the department's custody or legal responsibility of the child.

Effective August 1, 2026.

(Adds R.S. 46:51.1.2)