
SENATE COMMITTEE ON HEALTH

Senator Caroline Menjivar, Chair

BILL NO: AB 1084
AUTHOR: Zbur
VERSION: May 23, 2025
HEARING DATE: July 16, 2025
CONSULTANT: Margarita Niemann

SUBJECT: Change of name and gender and sex identifier

SUMMARY: Streamlines the legal process for an individual petitioning to change their name to conform to their gender identity. Eliminates the requirement that a petitioner file the judgement within 30 days to the State Registrar or a local registrar for a new vital record reflecting the change in name and gender identity.

Existing law:

- 1) Requires the application for change of names to be made to the superior court of the county where the person whose name is proposed to be changed resides, either by the petition signed by the person or, if the person is under 18 years of age, by one of the person's parents. [CCP §1276]
- 2) Requires, if a proceeding for a change of name to conform the petitioner's name to the petitioner's gender identity is commenced by the filing of a petition, the court to make an order reciting the filing of the petition, the name of the person by whom it is filed, and the name proposed. Requires the order to direct all persons interested in the matter to make known any objection to the change of name by filing a written objection within six weeks of the making of the order. Requires, if no objection showing good cause to oppose the name change is timely filed, the court to enter the order that the change of name is granted without hearing. [CCP §1277.5(a)(1)]
- 3) Establishes the California Department of Public Health (CDPH) and sets forth its powers and duties, including duties as the State Registrar relating to vital records and health statistics. [HSC §102100, et seq.]
- 4) Makes the local health officer of an approved public health department the local registrar in and for all registration districts within that health jurisdiction and requires the local registrar to perform all the duties of a local registrar of births and deaths. Requires the State Registrar, in other areas, to appoint a local registrar of births and deaths for each registration district. [HSC §102275 and §102280]
- 5) Makes the county recorder the local registrar of marriage and requires the local registrar to perform all duties of a local registrar of marriage. [HSC §102285]
- 6) Requires the petitioner to file a certified copy of the judgement of the court ordering a new birth certificate, marriage license and certificate, or birth certificate for the petitioner's child within 30 days from the date of the judgement to the State Registrar. Requires the State Registrar to establish a new birth certificate, marriage license and certificate, or birth certificate for the petitioner's child for the petitioner upon receipt. Requires the petitioner to file a certified copy of the judgement of the court ordering a new confidential marriage license and certificate within 30 days from the date of the judgement to the county clerk in

the county where the confidential marriage license and certificate. Requires the county clerk to issue a confidential marriage license and certificate for the petitioner. [HSC §103431]

- 7) Authorizes the petitioner to file a single petition with the superior court to change the petitioner's name and recognize the change to the petitioner's gender and sex identifier and, if requested, to order the issuance of a new birth certificate, marriage license and certificate, confidential marriage license and certificate, or birth certificate of the petitioner's child. Requires the petitioner to file the single petition to the specified entities within 30 days from the date of the judgement. [HSC §103435]

This bill:

- 1) Eliminates the requirement that a petitioner file a judgement ordering a new birth certificate or marriage license and certificate with the State Registrar or a local registrar within 30 days from the date of the judgement.

Code of Civil Procedures provisions

- 2) Eliminates the mechanism to file an objection to an adult petitioner's change of name to conform to the petitioner's gender identity.
- 3) Requires the court to enter an order granting the petition without a hearing within six weeks of the petition's filing.
- 4) Requires, if the petition is signed by all living parents of a minor for a change of name to conform a minor petitioner's name to their gender identity, the court to enter an order that the change of name is granted within six weeks of the filing of the petition and without a hearing.
- 5) Requires, if the petition is not signed by all living parents of a minor, the court to make an order reciting specified information, and require the petition and the order to be served on any parent who did not sign the petition. Prohibits a hearing date from being set unless an objection is timely filed and shows good cause for opposing the name change.
- 6) Requires the notice provided to specified individuals to additionally include that the court will grant the petition as soon as possible after the completion of the six-week objection period. Requires, if no service on any party is required, the court to grant the petition without a hearing if no written objection is timely filed within six weeks of the filing of the petition, and as soon as possible after the completion of the six-week objection period.

FISCAL EFFECT: According to the Assembly Appropriations Committee:

- 1) Costs of an unknown but potentially significant amount to county clerks. The state must reimburse these costs from the General Fund if the Commission on State Mandates determines the duties imposed by this bill constitute a reimbursable state mandate.
- 2) Unknown, possible fiscal impacts on the courts (Trial Court Trust Fund, General Fund). Although courts are not funded on the basis of workload, increased pressure on the Trial Court Trust Fund may create a demand for increased funding for courts from the General Fund. The fiscal year 2024-25 state budget provides \$37.3 million ongoing General Fund to backfill declining revenue to the Trial Court Trust Fund.

PRIOR VOTES:

Senate Judiciary Committee:	11 - 1
Assembly Floor:	60 - 13
Assembly Appropriations Committee:	12 - 1
Assembly Health Committee:	12 - 2
Assembly Judiciary Committee:	9 - 1

COMMENTS:

- 1) *Author's statement.* According to the author, transgender and nonbinary people across the country are facing relentless attacks that are part of a coordinated effort to both make it more difficult for them to live safely and openly as their authentic selves and to erase transgender people from public life entirely. This bill will help to ensure that transgender and nonbinary people do not experience unnecessary delays in obtaining accurate identification documents in California so that they can better protect themselves from growing legal threats to their safety and wellbeing and reduce their vulnerability to discrimination and harassment.
- 2) *Background.* Transgender and nonbinary are inclusive umbrella terms for individuals whose gender identity or expression is different from their assigned sex at birth. Gender identity refers to one's internal understanding of one's own gender, or the gender with which an individual identifies. According to CDPH, there are an estimated 220,000 transgender/nonbinary adults in California. In the UCLA School of Law Williams Institute 2021 report, *Gender Identity Disparities in Criminal Victimization: National Crime Victimization Survey, 2017-2018*, they found that transgender people are over four times more likely than cisgender people to experience violence victimization. The report also concluded that households with a transgender person had higher rates of property victimization than cisgender households and that one in four transgender women who were victimized thought the incident was a hate crime.
- 3) *Executive Order 14168.* Since the beginning of 2025, President Trump has signed multiple executive orders targeting the LGBTQ+ community, particularly transgender, nonbinary, and intersex individuals. One of these executive orders, Executive Order 14168: "Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government," requires federal agencies to only recognize two sexes, which the order defines as the sex assigned at birth. Executive Order 14168 also requires federal IDs, including passports, to only recognize male and female sex markers. Following this executive order, the American Civil Liberties Union (ACLU) filed a federal lawsuit, *Orr v. Trump*, challenging the State Department's refusal to issue passports with accurate sex designations on behalf of seven transgender, nonbinary, and intersex people. According to the ACLU, on June 17, 2025, the U.S. District Court for the District of Massachusetts granted plaintiffs' motions for class certification and for a preliminary injunction. The U.S. Department of State Bureau of Consular Affairs states that following the June 2025 ruling in *Orr v. Trump*, individuals are temporarily eligible to receive a passport with their sex marker of choice to renew their current passport, change their passport to match the sex printed on the passport to their selected gender identity or to reflect a name change, or to apply for a new passport while this litigation is pending.
- 4) *The State Registrar.* CDPH's Vital Records Registration Branch is charged with maintaining a uniform, comprehensive, and continuous index for all birth, death, fetal death, and marriage vital events, which occur in California, of which there are over one million each year.

Certified copies of vital records are available from CDPH, 58 county recorders, and 61 local health jurisdictions. CDPH maintains, and can provide, birth and death records from 1905 to the present. For marriage records, CDPH maintains and can provide those from 1946 to the present, with some years excluded. CDPH uses the data collected through death certificates for public health research and planning.

- 5) *Local registrars and county recorders.* Local health officers serve as the local registrars for their respective health jurisdictions, and perform all the related duties. According to the County Recorders' Association of California, the local registrar is required to send each original birth or death certificate to the State Registrar, either directly or through the county recorder's office. Local registrars either send the original birth or death certificate to the county recorder, who makes a special county record and forwards the original to the State Registrar, or the local registrar sends the county recorder a copy of the certificate at the same time they forward the original to the State Registrar. The local registrar keeps birth and death records for current year events and one year prior, but records for all years are maintained by the county recorder.
- 6) *Amendment of records for a name change.* According to CDPH, after the court orders that the name change to conform to the petitioner's gender identity is granted, the individual must then properly complete and send the VS 23 Birth Form, certified copy of the court order name change, payment of \$26, and a notarized sworn statement to CDPH. Amendments then become part of the original birth certificate, resulting in a multi-page certificate. To amend a marriage license and certificate following a court order, the individual must then properly complete and send the VS 24C Form, certified copy of the court order name change, payment, and a notarized sworn statement to CDPH. Their average time to process an amendment request is 10 to 12 weeks. Confidential marriage records must be amended through the county clerk in the county where the license was issued. Existing law currently requires the petitioner to file a certified copy of the judgement of the court ordering a new birth certificate, marriage license and certificate, or birth certificate for the petitioner's child within 30 days from the date of the judgement to the State Registrar. The Judicial Branch of California website states that individuals can obtain copies of their court order in person, by mail, and, in many courts, online. There is generally a fee to get a copy of a record unless the individual is granted a fee waiver. For records available online, individuals may be able to get a copy of the record that day. For older records, which may not be stored at the courthouse, it can take many weeks to get a copy of the record.
- 7) *Double referral.* This bill was heard in the Senate Judiciary Committee on July 1, 2025, and passed with an 11-1 vote.
- 8) *Related legislation.* AB 64 (Pacheco) requires the State Registrar to require the use of a diacritical mark on an English letter within a name to be properly recorded, when applicable, on a certificate of live birth, fetal death, marriage license and certificate, or confidential marriage license and certificate. AB 64 authorizes, if a name is not accurately recorded because of the absence of a diacritical mark in any vital record already registered, the party asserting the omission to submit a written request to the State Registrar for the issuance of a corrected certificate stating the changes necessary to make a name correct. *AB 64 is pending on the Senate Appropriations Committee suspense file.*

SB 59 (Wiener) requires a petition for a change of gender and sex identifier or a single petition for change to the petitioner's name and to recognize the change of the petitioner's

gender and sex identifier, and any papers associated with the proceeding, to be kept confidential by the court, regardless of the age of the petitioner. *SB 59 is pending in the Assembly Appropriations Committee.*

SB 313 (Cervantes) requires the birthplace of each parent to be contained in the medical and social portion of the certificate of live birth and to be kept confidential. *SB 313 is pending in the Assembly Appropriations Committee.*

- 9) *Prior legislation.* AB 223 (Ward, Chapter 221, Statutes of 2023) requires any petition for a change of gender and sex identifier or a petition for change of gender, sex identifier, and name filed by a person under 18 years of age, and any papers associated with the proceeding, to be kept confidential by the court.

AB 760 (Wilson, Chapter 222, Statutes of 2023) requires the California State University, and requests the University of California, to implement a process whereby current students, staff, and faculty may request the updating of any records for that person to include the person's affirmed name, gender, or both name and gender identification.

AB 421 (Ward, Chapter 40, Statutes of 2022) builds on AB 218 (Ward, Chapter 577, Statutes of 2021) to update procedures for changing gender and sex identifiers on official documents.

AB 218 (Ward, Chapter 577, Statutes of 2021) extends the existing framework for petitioners changing their names and/or genders on their own birth certificates to update their marriage licenses and certificates and the birth certificates of their children. Extends eligibility for certain processes related to changes of information on vital records to persons not born or residing within the state and recognizes orders in foreign jurisdictions for purposes of sufficient documentation.

SB 179 (Atkins, Chapter 853, Statutes of 2017) authorizes a person to submit to the State Registrar an application to change gender on the birth certificate to conform to the person's legal gender identity and eliminates the requirement that the person have undergone any treatment to submit an application.

AB 1121 (Atkins, Chapter 651, Statutes of 2013) requires the court to grant the petition for a change of name to conform the petitioner's name to their gender identity without a hearing if no timely objection is filed. Requires the State Registrar to issue a new birth certificate reflecting a change of sex without a court order for any person born in the state who has undergone clinically appropriate treatment for the purpose of gender transition.

- 10) *Support.* Sponsor, Equality California, and supporters write that this bill will streamline and expedite the process for transgender and nonbinary Californians to obtain a court-ordered name and gender change by eliminating the six-week mandatory waiting period for uncontested petitions and requiring the court orders for uncontested petitions to be issued within six weeks. During the first weeks of his term, President Trump signed a wave of executive orders attempting to mandate discrimination against transgender and nonbinary people across the federal government. This included a directive to the Departments of State and Homeland Security to prevent transgender and nonbinary Americans from obtaining U.S. passports and other federal IDs that accurately reflect their identity. This has left many transgender and nonbinary people in a state of legal uncertainty and fear, needing to rely even more on state-issued forms of identification, such as birth certificates and driver's

licenses, to accurately reflect their identity. They further state that at a time when the federal government is attempting to block transgender and nonbinary Americans from obtaining accurate U.S. passports and other federal IDs, this bill ensures that transgender and nonbinary Californians can swiftly obtain identification documents that accurately reflect their identity and reduce their vulnerability to discrimination. California Civil Liberties Advocacy writes that this bill removes unnecessary obstacles by eliminating the antiquated six-week objection mechanism for adult name-change petitions and directs courts to grant uncontested petitions within six weeks; extends the same efficiency to minors and families when both parents or guardians consent; ends the 30-day filing trap placed on petitioners, and reduces discrimination and violence against transgender and nonbinary Californians. The City of San Jose writes that research shows that transgender individuals without accurate identification documents are more likely to face barriers when accessing employment, housing, health care, and public services. Inconsistent or outdated records can expose individuals to discrimination and harm, particularly in settings that require formal identification. LGBTQ+ Inclusivity, Visibility, and Empowerment states that this bill establishes a streamlined process for updating name and gender markers on identification documents, making it more efficient for transgender individuals to obtain necessary documentation and access essential services and resources more quickly.

11) *Opposition.* The Protection of the Educational Rights of Kids – Advocacy (PERK) writes that this bill could result in name change decisions for minors being made more hastily, without full consideration of the social and legal consequences. Minors may not fully understand the implications of a name change, so rushing this decision may lead to confusion, regret, or identity challenges later on. Real Impact also write that this bill strips away critical safeguards by removing the opportunity for the public to file objections to adult name changes, mandating approval within just a few weeks without a court hearing unless a major issue is identified. California Baptists for Biblical Values and other opponents raise that while this bill claims to acknowledge parental involvement by requiring both parents’ consent for minors, it also weakens that authority by dismissing objections based on beliefs about biological sex.

12) *Oppose unless amended.* The California Catholic Conferences opposes this bill unless amended to remove the inability for a parent to object to a minor’s name change to conform to their gender identity. The Judicial Council of California requests amendments as follows:

- a) Insert “except as provided in Section 1279.5” at the end of CCP §1277.5(b)(1) and (b)(2)(B) to capture the current process for petitioning to change name or gender for those currently under the jurisdiction of the Department of Corrections and Rehabilitation or sentenced to county jail for minors who are charge and convicted in adult court; and,
- b) Insert “to show” after “order” in CCP §1277.5(b)(2)(C).

SUPPORT AND OPPOSITION:

Support: Equality California (sponsor)
 Alice B. Toklas LGBTQ Democratic Club
 Alliance for TransYouth Liberation
 API Equality - LA
 APLA Health
 Asian Americans Advancing Justice -- Southern California
 Bienestar Human Services
 California Academy of Child and Adolescent Psychiatry

California Civil Liberties Advocacy
California Federation of Teachers
California Latinas for Reproductive Justice
California Legislative LGBTQ Caucus
California LGBTQ Health and Human Services Network
CalPride
City of San Jose
City of West Hollywood
Courage California
East Bay Community Law Center
El/La Para TransLatinas
Ella Baker Center for Human Rights
FLUX & The Connie Norman Transgender Empowerment Center
Grace Institute - End Child Poverty in CA
LGBTQ+ Inclusivity, Visibility, and Empowerment
Los Angeles LGBT Center
Oasis Legal Services
Our Family Coalition
PFLAG Los Angeles
PFLAG Newport Beach
PFLAG Oakland/East Bay
PFLAG Sacramento
Public Counsel
Radiant Health Centers
Rainbow Families Action Bay Area
San Francisco Aids Foundation
The Source LGBT+ Center
The Transgender District
TransFamily Support Services
Unique Women's Coalition

Oppose: California Baptist for Biblical Values
California Catholic Conference (unless amended)
California Family Council
Culture Impact
Judicial Council of California (unless amended)
Lighthouse Baptist Church
Protection of the Educational Rights of Kids Advocacy
Real Impact.

-- END --