

CONCURRENCE IN SENATE AMENDMENTS

AB 1084 (Zbur)

As Amended September 5, 2025

Majority vote

SUMMARY

Streamlines the process for legally changing one's name, including a change of name to match a person's gender identity.

Major Provisions

- 1) Deletes existing law's procedures whereby a person may object to an adult's petition for a change of name for a period of six weeks after the petition is filed with the court.
- 2) Requires the court to enter an order approving of an adult's petition for a change of name within six weeks of receiving the petition.
- 3) Requires a court to enter an order approving of a minor's petition for a change of name within six weeks of receiving the petition if all of the minor's living parents have signed the petition.
- 4) Requires, if a minor's petition for a change of name is not signed by all living parents, the court to direct all persons interested in the matter to make known any objection to the change of name by filing a written objection, which includes any reasons for the objection, within *four weeks of the date of the order*.
- 5) Requires an order issued pursuant to 4), above, to be served on all living parents who did not sign the petition for a change of name.
- 6) Provides that a court may only deny a minor's petition for a change of name in the presence of good cause, which cannot be based solely on concerns that the proposed change is not the petitioner's actual gender identity or gender assigned at birth.
- 7) Exempts all proceedings for a change of name to conform the petitioner's name to the petitioner's gender identity from any requirement for publication.
- 8) *Delays the implementation of the bill until July 1, 2026.*

Senate Amendments

- 1) *Delay implementation of the bill until July 1, 2026.*
- 2) *Make various technical and conforming changes.*
- 3) *Delete the urgency clause.*

COMMENTS

For many transgender individuals legally adopting a name and gender identifier that matches their gender identity is a significant step in the transition process. However, because changing one's name requires a court order, the legal process can be onerous and time consuming. Seeking to assist transgender individuals navigate the justice system, the Legislature has enacted several

measures over the past decade seeking to streamline the name change process. This bill represents another measure seeking to make the name change process easier by removing various hearing requirements, compelling state authorities to issue new documents in a matter of weeks, and modifying some filing requirements.

Background on name change and the procedures. It is well-established in the common law that a person has the right to change their name. (*In re Ross* (1937) 8 Cal.2d 608, 609.) Although the statutory procedure is merely a way to record that name change, a formal process is generally required to change a person's other identity documents, such as a California's driver's license, a U.S. passport, or a Social Security record. Under the statutory framework, a person seeking a name change files a petition with the court and the court thereafter issues an order to show cause (an order that provides other parties with notice about the opportunity to object to the name change petition at a scheduled hearing). In many cases, the order to show cause must be published in a newspaper of general circulation. If no objections are filed with the court, the court may grant the name change petition without a hearing. The name change procedures can vary slightly for certain individuals deemed to be at risk by the courts or the Legislature (*e.g.*, minors, victims of domestic violence, and transgender individuals). The primary impetus for requiring a public proceeding before one can change their name is wholly unrelated to opposing the rights of LGBTQ persons, but rather to ensure that name changes are not fraudulent or being utilized to avoid paying debts.

Existing name change and gender change procedures for transgender individuals. In 2013, the Legislature enacted AB 1121 (Atkins), Chapter 651, Statutes of 2013, which reduced burdens for transgender individuals seeking a name change. AB 1121 *required* a court to grant a petition for a change of name that sought to conform an individual's name to the individual's gender identity without a hearing if no timely objection were made. The legislation also exempted such requests from the publication requirement. AB 1121 created an administrative process by which California-born individuals could submit an affidavit of a physician attesting that they have undergone clinically appropriate treatment for the purpose of a gender transition directly to the State Registrar (along with a fee) and thereby change the person's gender on the person's birth certificate. This eliminated the need for the court to review a gender change petition, simplifying the process for transgender individuals to update the gender marker on their birth certificates and therefore allowing persons to more easily update their birth certificate to match their gender identity.

In 2017, SB 179 (Atkins), Chapter 853, Statutes of 2017, streamlined these processes even further and updated the required documentation to reflect an evolved understanding of gender identity. The bill created a standalone statute governing legal name changes that were sought to conform a person's legal gender with their gender identity. The new provision requires the court to make an order reciting the filing of the person's petition. It provided that if no objection were received to the proposed name change, the court would be *required* to grant the name change. There is no requirement for publication. A hearing is not set unless a timely objection shows good reason against the change of name. In addition, realizing the reality that gender identity is not contingent on whether an individual has received any medical treatment for purposes of a gender transition, SB 179 removed the requirement that individuals submit medical documentation in order to change their gender on a birth certificate or to obtain a court-ordered gender change. A person instead must provide an affidavit in which the person attests, under penalty of perjury, that the request for a change in gender is to conform the person's legal gender

to the person's gender identity. For a court-ordered gender change, the court is required to accept the individual's affidavit as conclusive proof of gender change.

SB 179 also required the State Registrar to issue a new birth certificate, reflecting a change of gender, without a court order for any person born in this state who submits directly to the State Registrar an application to change the gender on the birth certificate and an affidavit attesting under penalty of perjury that (1) the request for a change of gender is to conform the person's legal gender to the person's gender identity, and (2) is not made for any fraudulent purpose. In 2021, AB 218 (Ward) Chapter 577, Statutes of 2021 aligned the process for updating marriage certificates of transgender individuals and the birth certificates of their children with the process for updating their own birth certificate.

Seeking to remove unnecessary impediments to legally changing one's name, this bill eliminates the ability for a person to object to an adult seeking a legal name change through the courts. Additionally, the bill removes the hearing requirement for minors seeking a name change so long as all living parents of the minor sign the petition seeking the change of name. The above described changes will reduce the time required to legally process and change of name and gender by at least a month, thus permitting transgender individuals access to new legal documentation in a more timely manner. In light of the recent actions by the federal government to limit transgender person's rights to government documents reflecting their true identity, for example only permitting male or female designations on passports (<https://www.npr.org/2025/02/21/nx-s1-5300880/trump-passport-policy-trans-gender-intersex-nonbinary>), the need to ensure that transgender individuals can access state documents in an efficient and timely manner outweighs the risk of fraudulent name changes.

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. AB 1084 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.

Arguments in Support

This bill is supported by a coalition of LGBTQ+ advocates. Representative of this coalition, CalPride writes:

Under existing law, a person seeking a court-ordered name and gender marker change must wait a minimum of six weeks—although the process usually takes much longer—for anyone who might object to file a written objection with the court. However, the six-week waiting period is burdensome and unnecessary as name and gender change petitions for minors are confidential, and for adults and minors who have consent from both of their parents, there is no notification or publication requirement. Meanwhile, it can take anywhere from two to nine months just to receive an amended birth certificate from the state. These long wait times put transgender and nonbinary people in extremely vulnerable situations with identification documents that do not accurately reflect their identity.

To address these challenges, AB 1084 will shorten the court processing time for uncontested name and gender marker changes. The bill will also require the California Department of

Public Health to issue an amended birth certificate within six weeks if it includes a request to change gender. AB 1084 is crucial to ensuring that transgender and nonbinary Californians can obtain identification documents that accurately reflect their name and gender without unnecessary barriers or delays and reduce their vulnerability to discrimination and harassment.

Arguments in Opposition

The organization, Protection of the Educational Rights of Kids (PERK) – Advocacy, writes:

PERK opposes AB 1084 because the bill could result in name change decisions for minors being made more hastily, without full consideration of the social and legal consequences. Minors, especially younger ones, may not fully understand the implications of a name change. It is crucial to ensure that they are emotionally and mentally prepared for such a significant step. Rushing this decision might lead to confusion, regret, or identity challenges later on, particularly if the child hasn't had time to fully explore their gender identity or personal sense of self. Adolescents are still in the process of forming their personal and social identities. A rushed name change could conflict with this ongoing process, especially if the decision is made under pressure or without enough reflection.

FISCAL COMMENTS

According to the Senate Appropriations Committee:

Unknown, potentially significant costs to the state funded trial court system (Trial Court Trust Fund, General Fund) to fast track petitions to change a person's name. The fiscal impact of this bill to the courts will depend on many unknowns, including the number of petitions filed and the factors unique to each case. However, there could be cost savings to the extent that the court is not required to hold hearings on certain petitions. An eight-hour court day costs approximately \$10,500 in staff in workload. While the courts are not funded on a workload basis, an increase in workload could result in delayed court services and would put pressure on the General Fund to fund additional staff and resources and to increase the amount appropriated to backfill for trial court operations.

VOTES:

ASM JUDICIARY: 9-1-2

YES: Kalra, Bauer-Kahan, Bryan, Connolly, Harabedian, Pacheco, Papan, Stefani, Zbur

NO: Sanchez

ABS, ABST OR NV: Dixon, Essayli

ASM HEALTH: 12-2-2

YES: Bonta, Addis, Aguiar-Curry, Arambula, Carrillo, Mark González, Krell, Patel, Celeste Rodriguez, Schiavo, Sharp-Collins, Stefani

NO: Patterson, Sanchez

ABS, ABST OR NV: Chen, Flora

ASM APPROPRIATIONS: 12-1-2

YES: Wicks, Arambula, Calderon, Caloza, Elhawary, Fong, Mark González, Hart, Pacheco, Pellerin, Solache, Tangipa

NO: Dixon

ABS, ABST OR NV: Sanchez, Ta

ASSEMBLY FLOOR: 60-13-6

YES: Addis, Aguiar-Curry, Ahrens, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Connolly, Elhawary, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NO: Castillo, Chen, Davies, DeMaio, Dixon, Ellis, Flora, Gallagher, Jeff Gonzalez, Hadwick, Macedo, Patterson, Sanchez

ABS, ABST OR NV: Alanis, Hoover, Lackey, Ramos, Ta, Tangipa

UPDATED

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CONSULTANT: Nicholas Liedtke / JUD. / (916) 319-2334

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