
SENATE COMMITTEE ON HEALTH
Senator Dr. Akilah Weber Pierson, Chair

BILL NO: SB 1071
AUTHOR: Ochoa Bogh
VERSION: February 13, 2026
HEARING DATE: April 8, 2026
CONSULTANT: Margarita Niemann

SUBJECT: Death certificates

SUMMARY: Authorizes a family member of a deceased person, when a judicial determination is made on the manner of the person's death, to submit a written request to the State Registrar for a new death certificate reflecting the newly determined manner of death.

Existing law:

- 1) 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.]
- 2) 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, as specified. [HSC §102275 and §102280]
- 3) Requires each death to be registered with the local registrar of births and deaths in the district in which the death was officially pronounced or the body was found, within eight calendar days after death and prior to any disposition of the human remains. [HSC §102775]
- 4) Requires the medical and health section data and the physician's, nurse practitioner's, or coroner's certification to be completed by the attending physician or nurse practitioner within 15 hours after the death, or by the coroner within three days after examination of the body. Requires the physician or nurse practitioner to, within 15 hours after the death, deposit the certificate at the place of death, or deliver it to the attending funeral director at his or her place of business or at the office of the physician. [HSC §102800]
- 5) Requires the coroner to state on the certificate of death the disease or condition directly leading to death, antecedent causes, other significant conditions contributing to death and other medical and health section data as required on the certificate, and the hour and day on which death occurred. Requires the coroner to deliver the death certificate to the attending funeral director within three days after examining the body. [HSC §102860]
- 6) Permits, whenever the facts are not correctly stated in any certificate of birth, death, fetal death, or marriage already registered, the person asserting that the error exists to make an affidavit under oath stating the changes necessary to correct the record. Requires that affidavit to be supported by the affidavit of one other credible person having knowledge of the facts, and file it with the state or local registrar. [HSC §103225]
- 7) Requires the amendment to be transmitted to the State Registrar to review it for acceptance for filing. Requires, if the amendment is accepted, the State Registrar to transmit copies of

the amendment to the county recorder in whose offices copies of the original record and information are on file. Requires the State Registrar to send a certified copy of the newly amended record of birth, death, or marriage to the applicant without additional charge, except for those amendments that are filed within one year of the date of occurrence of the event. Requires the amendment to be filed with and become a part of the record to which it pertains. [HSC §103240-103255]

This bill:

- 1) Authorizes a family member of a deceased, when a judicial determination of a manner of the person's death has become final, to submit a written request to the State Registrar for a new death certificate on the grounds that the manner of death stated on the registered certificate does not reflect the ultimate judicial determination.
- 2) Requires the request to be supported by a certified copy of the plea, verdict, statement of decision, or judgement showing either expressly or implicitly that the manner of death determined by a finder of fact to be different than stated on the existing certificate.
- 3) Requires the State Registrar to review the request and issue a new death certificate with the judicially determined manner of death if the request:
 - a) Identifies the determination of manner of death in the certified court record;
 - b) Identifies a differing manner of death stated on the existing certificate; and,
 - c) Is accompanied with the payment of the required fee.
- 4) Requires the State Registrar, once the certificate is issued, to transmit copies of the new death certificate to both of the following:
 - a) The local registrar and county recorder in whose offices copies of the previously issued death certificate are on file; and,
 - b) The person who submitted the request.
- 5) Requires the local registrar and county recorder, upon receipt of the new death certificate, to transmit any copies of the previously issued death certificate to the State Registrar if it is practical to do so. Requires the local registrar and county recorder, if it is impractical to do so, to effectually seal a cover over the copy in a manner as not to deface or destroy the copy and forward a verified statement of their action to the State Registrar.
- 6) Requires the new death certificate to replace any previously issued death certificate registered for the deceased person and shall be the only death certificate of the deceased persons open to public inspection.
- 7) Requires the request and previously issued death certificate to remain as part of the records of the State Registrar.
- 8) Requires all records and information referred to in this bill, other than the newly issued death certificate, to be available only upon the order of a court of competent jurisdiction.

FISCAL EFFECT: This bill has not been analyzed by a fiscal committee.

COMMENTS:

- 1) *Author's statement.* According to the author, "Under current law, next of kin may request certain corrections to a death certificate, including typographical errors or amendments to the

cause of death with a physician's certification. However, there is no process to amend the manner of death, even when a court of law has ruled that the death was a homicide. This bill would allow a victim's next of kin, after all appellate rights have been exhausted, to request an amendment so the official death certificate reflects the court's legal determination. Families who have already suffered an unimaginable loss should not have to see their loved one's death labeled as an 'accident' when a court has determined it was a homicide. There is nothing accidental about the choice to drive impaired. This bill ensures that once the legal process is complete, the official record reflects the truth and honors the life that was taken."

- 2) *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.
- 3) *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 in the jurisdiction where the event occurred, but records for all years in the county where the event occurred are maintained by the county recorder.
- 4) *Death registration process.* According to the County of Los Angeles Public Health, the funeral director initiates the death registration process through the web-based California Electronic Death Registration System (CA-EDRS) by gathering personal and demographic information about the deceased. California law requires this process to occur within eight days in which the death occurred, or the body was found. The attending physician or coroner then completes the medical portion of the death certificate to determine the manner in which the individual died within the required 15 hours of receiving notice from the funeral director. Medical examiners or coroners are responsible for investigating any cause of death that is unexpected, unexplained, or resulting from injury, poisoning or public health threat. If a case is referred to the coroner, the coroner enters cause-of-death information directly into CA-EDRS under the "Coroner's use only" section. In most cases, however, the attending physician is responsible for determining the cause of death. The physician receives a cause-of-death worksheet provided by the funeral director; once completed, they return it to the funeral director. The death certificate is then forwarded to the local registrar.

The local registrar then reviews the death certificate and checks that the cause of death follows the International Classification of Diseases rules and for acceptance of the death certificate in accordance with state guidelines. Once the death certificate is accepted by the local registrar, the physician must attest to the accuracy of the cause-of-death information on

the certificate. The death certificate can then be submitted to the local registrar by the funeral director for legal registration.

- 5) *Cause and manner of death sections.* The cause of death is recorded in Section 107 of death certificates. The section consists of two parts: Part I is a sequential list of conditions leading to the immediate cause of death and the time intervals between their onset and the death, as well as any underlying cause of death; and Part II is a list of other conditions contributing to, but not directly causing, death. According to CDPH, manner of death categories reflects the value entered on the death certificate by a coroner or medical examiner. The manner of death is recorded in Section 109 of death certificates. Because most California death certificates are not completed by a coroner or medical examiner, this field is blank for many records. However, in specified instances, California law requires coroners or medical examiners to inquire into and determine the circumstances, manner, and cause of specified instances, including all violent, sudden, or usual deaths. In the event where a coroner or medical examiner completes the medical section of the death certificate, manner of death categories include: accident, suicide, homicide, pending investigation, could not be determined, and natural. The National Association of Medical Examiners state that motor vehicle fatalities, in general, may be classified as accident, as long as there is no evidence from reasonable investigative inference that the at-fault person was using the vehicle as a weapon with an intent to kill the victim, in which case homicide would apply. The Association also states that deaths directly caused by the acute toxic effects of a drug or poison are traditionally classified as an accident, assuming there was no evidence of intent to harm oneself or cause death.
- 6) *Amendment of records.* To request an amendment to correct personal information on a death certificate, CDPH requires the individual to submit a properly completed VS 24 Form, notarized sworn statement, appropriate fees(s), and supporting documentation. The VS 24 – Affidavit to Amend a Record Form can: correct most typographical or spelling errors, add most information not known at the time of death, and add an “also known as” for the decedent. To amend medical information on a death certificate, however, the individual must submit a VS 24A Form, known as the Physician/Coroner’s Amendment. The medical information includes the date of death, hour of death, and Items 101-125, which include both the cause and manner of death, with the signature of the certifying physician or coroner who originally attested to the death certificate. There are currently two ways to submit this type of amendment: (1) if the death certificate was attested by a physician, the form must be completed, signed by the attesting physician, and mailed to CPDH for processing; or (2) if the death certificate was attested by the coroner, the coroner with the county jurisdiction can submit the form via the CA-EDRS. The funeral home or mortuary that assisted with services can assist with creating the amendment form for signatures. There are no processing fees to file a Physician/Coroner’s Amendment. In any form of amendment to a death certificate, once the amendment is processed, it will be filed with and become part of the record in which it pertains, making the certificate a multiple page document. To obtain a copy of the amended death certificate, an application for a certified copy and a sworn statement is required.
- 7) *Double referral.* This bill is double referred. Should it pass out of this Committee, it will be referred to the Senate Committee on Judiciary.
- 8) *Support.* The Riverside County District Attorney’s Office, a co-sponsor of this bill, writes that this bill would provide a legal mechanism to amend the manner of death on a death certificate after a court judgement to ensure that the manner of death is not classified as an

accident when there is a legal finding of a homicide. They state that currently there is no legal mechanism for next of kin to amend manner of death on a death certificate. Motor vehicle fatalities demonstrate the problem that this bill seeks to solve. Currently, when a victim is killed by a drunk or impaired driver, the medical examiner typically classifies the manner of death as an accident rather than as a homicide because they likely lack all the information necessary to rule it a homicide at the time of the autopsy. The attorney's office further states once all appellate rights have been exhausted and there is a final court judgement, the state's official death certificate should reflect the legal determination of its own courts regarding the true manner of death. Moreover, the co-sponsor argues that this bill does not attempt to change a medical examiner's medical opinion in the autopsy protocol or a coroner's report but instead seeks to ensure accuracy in the state's official death records. This will help provide a measure of justice to the victim's family, as well as provide better statistics and data to inform public health, criminal justice, research, and policy systems at multiple levels. Additionally, Not An Accident Campaign adds that families have been told that when a death results from the knowing distribution of lethal drugs, impaired driving, or other reckless criminal conduct, the manner of death must still be recorded as an accident. In many of these cases, the courts later establish criminal responsibility or civil liability; but the death certificate remains unchanged. This disconnect undermines public confidence and leaves families with records that do not reflect established judicial findings. The co-sponsor writes that this bill does not alter medical determinations of the cause of death, nor does it create an automatic reclassification of the manner of death. Instead, this bill provides a lawful pathway to amend the manner of death when there is an official judicial finding. This way, official records can align with adjudicated facts. Allowing official records to reflect court findings provides clarity, accountability, and a measure of justice.

- 9) *Oppose.* The American Society for Clinical Pathology (ASCP) writes that this bill breaks the essential separation between legal determinations and the independent practice of medicine. ASCP states that death certification is a medical act that must remain grounded in professional judgement rather than judicial outcomes. Physicians, coroners, and medical examiners must be free to certify the cause and manner of death based on their expertise and independent investigations. Changing death certificates to match court verdicts would undermine established forensic and public health standards and contradict national practice. Furthermore, ASCP writes that this bill would distort local, state, and national mortality data, including statistics used by the CDC. They predict that this bill will create a scientific bias in one direction: families are likely to want a manner of death changed from "accident" to "homicide" after a criminal conviction, but if a person is found "not guilty" of a criminal charge, then a family is unlikely to request that the original manner of death of "homicide" be changed to reflect this acquittal. Additionally, following a conviction overturned upon appeal, the amended death certificate would not reflect as such. Artificial increases in homicide classification would, in turn, misdirect public health resources and jeopardize federal funding. ASCP concludes that any amendments to a death certificate must remain the responsibility of the medicolegal investigative agency, and not the courts or State Registrar. In addition to ASCP, the International Association of Coroners and Medical Examiners (IACME) states that this bill presents profound concerns as it conflates the definition of "homicide" within the legal and medical domains. In the medicolegal context, "homicide" is a neutral medical classification indicating death at the hands of another person, without assigning criminal intent or legal culpability. The legal definition, on the other hand, depends upon prosecutorial decisions, statutory frameworks, evidentiary thresholds, and jury determinations. IACME adds that this will result in unequal and potentially biased mortality data across jurisdictions. The California State Coroners' Association and the National

Association of Medical Examiners outline similar concerns that this bill would fundamentally blur the critical distinction between medical determinations and legal findings, leading to significant unintended consequences. They also add that retroactively amend death certificates based on judicial outcomes could create discrepancies between autopsy reports and official records, leading to confusion for families, legal entities, and financial institutions.

SUPPORT AND OPPOSITION:

- Support:** Not An Accident Campaign (co-sponsor)
 Riverside County District Attorney's Office (co-sponsor)
 Arcadia Police Officers' Association
 Brea Police Association
 Burbank Police Officers' Association
 California Association of School Police Chiefs
 California Coalition of School Safety Professionals
 California Narcotic Officers' Association
 California Reserve Peace Officers Association
 City of Highland
 Claremont Police Officers Association
 Corona Police Officers Association
 Culver City Police Officers' Association
 Fullerton Police Officers' Association
 Hang Up and Drive
 Los Angeles School Police Management Association
 Los Angeles School Police Officers Association
 Mothers Against Drunk Driving
 Mothers Against Prescription Drug Abuse
 Murrieta Police Officers' Association
 Newport Beach Police Association
 Palos Verdes Police Officers Association
 Placer County Deputy Sheriffs' Association
 Pomona Police Officers' Association
 Retired Public Employees Association
 Riverside Police Officers Association
 Riverside Sheriffs' Association
 The California Baptist Capitol Ministry
 The Kiefer Foundation
 San Diego County District Attorney's Office
 Stop Drug Homicide
 WeSaveLives.org
 24 individuals
- Oppose:** American Society for Clinical Pathology
 California State Coroners' Association
 National Association of Medical Examiners
 International Association of Coroners and Medical Examiners