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# SENATE COMMITTEE ON APPROPRIATIONS

Senator Sabrina Cervantes, Chair  
2025 - 2026 Regular Session

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## SB 1071 (Ochoa Bogh) - Death certificates

**Version:** April 23, 2026

**Urgency:** No

**Hearing Date:** May 4, 2026

**Policy Vote:** HEALTH 9 - 0, JUD. 11 - 0

**Mandate:** Yes

**Consultant:** Agnes Lee

**Bill Summary:** SB 1071 would require that, when a judicial determination of a manner of a deceased person's death has become final, a family member of the deceased may submit a written request to the State Registrar for a new death certificate for the deceased person, as specified.

### Fiscal Impact:

- Unknown ongoing General Fund costs, potentially hundreds of thousands, for the California Department of Public Health (CDPH) for state administration.
- Unknown potential costs for local registrars and county recorders for administration. Costs to local agencies would be potentially reimbursable by the state, subject to a determination by the Commission on State Mandates.

**Background:** CDPH, in its role as the State Registrar, is charged with maintaining a uniform, comprehensive, and continuous index for all birth, death, fetal death, and marriage vital events, which occur in California. Certified copies of vital records are available from CDPH, 58 county recorders, and 61 local health jurisdictions. 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.

Current law 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. The medical and health section data on the death certificate and the physician's, nurse practitioner's, or coroner's certification must 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.

The cause of death is recorded in Section 107 of death certificates, consisting 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. 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.

To request an amendment to correct personal information on a death certificate, CDPH requires the individual to submit a properly completed Affidavit to Amend a Record Form, notarized sworn statement, appropriate fees(s), and supporting documentation. The 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 Physician/Coroner’s Amendment Form. The medical information includes the date of death, hour of death, cause and manner of death, with the signature of the certifying physician or coroner who originally attested to the death certificate.

**Proposed Law:** Specific provisions of the bill would:

- Require that, when a judicial determination of a manner of a deceased person’s death has become final, a family member of the deceased may submit a written request to the State Registrar for a new death certificate for the deceased person on the ground that the manner of death stated on the registered certificate does not reflect the ultimate judicial determination; and require that the request be supported by a certified copy of the plea, verdict, statement of decision, or judgment showing either expressly or implicitly that the manner of death was determined by a finder of fact to be different than stated on the existing certificate.
- Require the State Registrar to review the request and issue a new death certificate with the judicially determined manner of death identified in the request if specified criteria are met.
- Require, once the certificate is issued, the State Registrar to transmit copies of the new death certificate to both of the following:
  - The local registrar and county recorder in whose offices copies of the previously issued death certificate are on file.
  - The person who submitted the request.
- Require, upon receipt of the new death certificate, the local registrar and county recorder to transmit any copies of the previously issued death certificate to the State Registrar if it is practical to do so; and, 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.
- Require the new death certificate to supplant any previously issued death certificate registered for the deceased person and to be the only death certificate of the deceased person open to public inspection; require that the request and previously issued death certificate remain as part of the records of the State Registrar; and

require that all records and information under these provisions, other than the newly issued death certificate, be available only upon the order of a court of competent jurisdiction.

- Provide that a plea, verdict, statement of decision, or judgment reflects a judicial determination that the manner of death was a homicide if it shows criminal responsibility or civil liability for the murder, the manslaughter, an act causing the death, the wrongful death, or an act that to a reasonable person is likely to cause great bodily injury and results in the death, of the deceased person; provide that a family member of the deceased may include additional certified court records with the request to permit the State Registrar to determine that the manner of death was judicially determined to be a homicide and explain the relevance of the additional records; and provide that a determination by the State Registrar must be based solely on the request and certified court documents submitted with the request, and that the State Registrar is not required to obtain or review any additional documents.

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