

SENATE THIRD READING
SB 1186 (Seyarto)
As Amended August 13, 2026
Majority vote

SUMMARY

Requires the State Registrar (SR) within the Department of Public Health (DPH) to establish a new birth certificate within 11 weeks upon receipt of a report of adoption or a readoption order. Requires, if the SR determines that the report of adoption or readoption order is incomplete, the SR to notify the court that issued the report of adoption or readoption order within 14 weeks to request the missing required documentation and requires the SR to establish a new birth certificate within 11 weeks of receipt of the required documentation. Authorizes the SR, if the required documentation is not received within 90 calendar days after the court or applicant is notified, to return the incomplete report of adoption or readoption order to the applicant for resubmission.

COMMENTS

Adoption by the numbers in California. According to a report by the National Council for Adoption titled, "*Adoption by the Numbers*," in 2023, an estimated 10,597 children were adopted in California. This increased 11.23% from the previous year. In 2023, adoptions from foster care made up 59.5% of total adoptions, while private domestic adoptions made up 39.42%, and intercountry adoptions made up 1.09%. The total number of adoptions from foster care was 6,305, which increased 1.14% from the previous year. The total number of private domestic adoptions was 4,177, which increased 32.23% from the previous year. Lastly, the total number of intercountry adoptions was 115, which decreased 14.18% from the previous year.

DPH Vital Records. DPH registers adoptions for individuals born in California, regardless of where the individual was adopted, and individuals adopted in California who were born outside the U.S., territories of the U.S., or Canada. DPH'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 DPH, 58 county recorders, and 61 local health jurisdictions. DPH maintains, and can provide, birth and death records from 1905 to the present. For marriage records, DPH maintains and can provide those from 1946 to the present, with some years excluded. DPH uses the data collected through vital records for public health research and planning.

Adoptee birth certificates. Under existing law, the SR is required to issue a new birth certificate upon receiving either a court report of adoption or a readoption order, unless otherwise requested by the adopting parents. When a new birth certificate is established by DPH, they send a "sealing notice" to the county of birth, instructing the county to replace the original certificate with the new certificate. Counties are instructed to confidentially destroy or delete all other records. DPH utilizes the Electronic Birth Registration-Amendment Request Portal for adoptive families to complete a Court Report of Adoption form to amend a birth certificate after an adoption has been finalized. The amendment request package must be printed, certified by the court, and submitted to DPH.

State law does not specify a timeframe for the SR to establish a new birth certificate after adoption or readoption. According to information provided by the author, some families report waiting 49–52 weeks for an updated birth certificate, long after the court has finalized the adoption. During this gap, parents may be unable to enroll children in school, secure medical care, obtain passports or other identification, or claim the child correctly for tax purposes.

According to DPH's website, the average time to process an amendment to a vital record is 9 to 11 weeks. Processing times for incomplete requests vary. If a request is incomplete, DPH sends a letter requesting the outstanding required documentation. Once the required documents are received, it takes 8 to 10 weeks for the request to be completed and mailed out.

According to the Author

When an adoption is finalized, families can wait close to a year for a new birth certificate that reflects their child's legal name and new status. The author continues that during this period, parents may struggle to enroll their child in school, access health care, obtain identification or travel documents, or correctly claim their child on their taxes. The author further states that these delays add stress at the very moment when a child needs stability and reassurance the most in their new home, while undermining the sense of belonging that a finalized adoption is meant to provide. The author continues that this bill sets an 11-week deadline for the SR to issue a new birth certificate after receiving an adoption report or readoption order, so that California's adoptive families can move forward with accurate documentation and their children can fully integrate into their new families without unnecessary bureaucratic delay.

Arguments in Support

The Alliance for Children's Rights (ACR) writes in support of this bill, stating that finalizing an adoption is a profound milestone that gives a child the permanence, stability, and sense of belonging they deserve. ACR continues that many adoptive families encounter unexpected delays when seeking an updated birth certificate for their newly adopted child, undermining what should be a seamless transition into family life. ACR states that after the adoption is legally finalized, the SR issues a new birth certificate for the child. ACR contends that California law does not specify how quickly this must occur, leading to inconsistent processing times across the state. ACR notes that without timely access to this essential document, parents may struggle to enroll their child in school, obtain health care, secure identification, or arrange travel. ACR continues that families are forced to navigate months of avoidable stress and uncertainty simply to access this critical document. ACR concludes that establishing clear timelines for birth certificate issuance under this bill ensures families have timely access to services as they transition to permanency.

Arguments in Opposition

None on file.

FISCAL COMMENTS

According to the Assembly Appropriations Committee, DPH estimates costs of approximately \$1.16 million in fiscal year 2026-27 and ongoing to fund eight new staff positions and software licensing (Health Statistics Special Fund).

VOTES

SENATE FLOOR: 33-0-7

YES: Archuleta, Arreguín, Ashby, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Jones, Laird, Limón, McGuire, McNerney, Menjivar, Ochoa Bogh, Pérez, Reyes, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener

ABS, ABST OR NV: Allen, Alvarado-Gil, Becker, Hurtado, Niello, Padilla, Stern

ASM HEALTH: 15-0-1

YES: Bonta, Sanchez, Addis, Aguiar-Curry, Ahrens, Caloza, Carrillo, Jeff Gonzalez, Mark González, Patel, Patterson, Celeste Rodriguez, Schiavo, Sharp-Collins, Stefani

ABS, ABST OR NV: Johnson

ASM APPROPRIATIONS: 11-0-4

YES: Wicks, Arambula, Calderon, Caloza, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache

ABS, ABST OR NV: Hoover, Dixon, Ta, Tangipa

UPDATED

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