

Date of Hearing: July 1, 2025

**ASSEMBLY COMMITTEE ON HEALTH**  
Mia Bonta, Chair  
SB 313 (Cervantes) – As Amended May 1, 2025

**SENATE VOTE:** 28-10

**SUBJECT:** Vital records: birth certificates.

**SUMMARY:** Requires the birthplace of each parent to be contained in the medical and social information section of the live birth certificate, which is confidential, rather than the publicly available section containing items necessary to establish the fact of the birth. States that it is necessary to limit the public's right of access to this information in order to protect the privacy of persons with regard to information about the birthplace of their parents, except for access by authorized entities or individuals for health-related or other limited purposes.

**EXISTING LAW:**

- 1) Establishes the State Department of Public Health (DPH) and sets forth its powers and duties, including duties of the State Registrar relating to vital records and health statistics. [Health and Safety Code (HSC) § 102100 *et seq.*]
- 2) Makes the local health officer of an approved public health department the local registrar 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]
- 3) Requires the certificate of live birth to include only the following information:
  - a) Full name and sex of the child;
  - b) Date of birth, including month, day, hour, and year;
  - c) Place of birth;
  - d) Full name, birthplace, and date of birth of each parent, including month, day, and year, and the parental relationship of the parent to the child;
  - e) Multiple births and birth order of multiple births;
  - f) Signature, and relationship to the child, of a parent or other informant, and date signed;
  - g) Name, title, and mailing address of the attending physician and surgeon or principal attendant, signature, and certification of live birth by the attending physician and surgeon or principal attendant or certifier, date signed, and name and title of the certifier, if other than the attending physician and surgeon or principal attendant;
  - h) Date accepted for registration and signature of local registrar;

- i) A state birth certificate number and local registration district and number; and,
  - j) A blank space for entry of the date of death with a caption reading "Date of Death".  
[HSC § 102425(a)]
- 4) Requires the certificate of live birth to additionally contain the following medical and social information, provided the information is kept confidential, and is clearly labeled "Confidential Information for Public Health Use Only":
- a) Birth weight;
  - b) Pregnancy history;
  - c) Race and ethnicity of the mother and any other parent;
  - d) Residence address of the birth mother;
  - e) A blank space for entry of census tract for the birth mother's address;
  - f) Date of first prenatal care visit, the number of prenatal care visits, and commencing January 1, 2007, the date of last prenatal care visit;
  - g) Description of complications and procedures of pregnancy and concurrent illnesses, congenital malformation, and any complication or procedure of labor and delivery, including surgery, providing that this information is essential medical information and appears in the total of the face of the certificate;
  - h) Commencing January 1, 2007, hearing screen results;
  - i) The occupations of the mother and father or parent and kind of business or industry;
  - j) Education level of the mother and father or parent;
  - k) Principal source of payment for prenatal care, which includes the following: Medi-Cal, private insurance, self-pay, other sources, and any other categories determined by DPH;
  - l) Expected principal source of payment for delivery, which includes the following: Medi-Cal, private insurance, self-pay, other sources, and any other categories determined by DPH;
  - m) Any indication of whether or not the child's parent desires the automatic issuance of a social security number to the child; and
  - n) On and after January 1, 1995, the social security numbers of the mother and father or parent, unless the parent has good cause for not disclosing the parent's social security number. [HSC § 102425(b)]
- 5) Provides that the race and ethnicity of the mother and any other parent, the occupations of the mother and father or parent and kind of business or industry, and the education level of the mother and father or parent shall not be required to be entered on the confidential portion of

the birth certificate when an objection is made by either parent to providing the information.  
[HSC § 102425(c)]

- 6) Requires access to the confidential section of the certificate of live birth specified in 4) above to be limited to the following:
- a) DPH staff;
  - b) Local registrar's staff and local health department staff when approved by the local registrar or local health officer, respectively;
  - c) The county coroner;
  - d) Persons with a valid scientific interest as determined by the State Registrar, who are engaged in demographic, epidemiological, or other similar studies related to health, and who agree to maintain confidentiality as prescribed by this part and by regulation of the State Registrar;
  - e) The parent who signed the certificate or, if no parent signed the certificate, the mother;
  - f) The person named on the certificate;
  - g) A person who has petitioned to adopt the person named on the certificate of live birth;
  - h) The following state government departments requesting the information for official government business purposes as deemed appropriate by the State Registrar, that agree to maintain confidentiality: DPH, the State Department of Health Care Services, the Department of Finance, the Scholarshare Investment Board, for the purpose of implementing the California Kids Investment and Development Savings Program, and the Department of Health Care Access and Information; and
  - i) The birth hospital responsible for preparing and submitting a record of the birth or fetal death for purposes of reviewing and correcting birth or fetal death records. Prohibits the birth hospital from further disclosing the information or using the information for purposes other than allowed by this part. [HSC § 102430(a)]
- 7) Requires DPH to maintain an accurate record of all persons who are given access to the confidential portion of the certificates. Requires the record to include all of the following: the name of the person authorizing access, the name, title, and organizational affiliation of persons given access, the dates of access, and the specific purpose for which the information is to be used. [HSC § 102430(b)]

**FISCAL EFFECT:** According to the Senate Appropriations Committee, unknown one-time and/or ongoing General Fund costs for the DPH for state operations for system reprogramming.

**COMMENTS:**

- 1) **PURPOSE OF THIS BILL.** According to the author, the birth certificate is often one of the first legal documents a person acquires, and its significance is sometimes overlooked. In the United States (U.S.), birth certificates serve as proof of an individual's age, citizenship status, and identity. They are essential for obtaining a Social Security number, applying for a

passport, enrolling in schools, getting a driver's license, securing employment, or applying for other benefits. Birth certificates include sensitive information of a child's parents, including their place of birth. The author continues that the bottom portion of the certificate, containing "Confidential Information for Public Health Use," is typically not included on routine copies unless specifically requested by the person named on the certificate, the parent who signed it, or, if no parent signed, the mother.

The author says that, unfortunately, parent birthplace is not confidential information. The current federal administration attempted, by executive order, to deny citizenship to children born not only to undocumented parents but to anyone with one parent who is either undocumented or is in the U.S. on a temporary visa or stay. The author contends this bill does not take away the authority of the DPH to authenticate any documents presented by applicants nor does it aim to reform birth certificates. However, it does ensure the confidentiality of the parent's country of origin by designating it as confidential under the law, similar to other types of sensitive information that are already protected. This bill aims to enhance the privacy of families by keeping personal information secure and away from public access. Although the practice of information sharing is not new, the implications of the lack of protection of personal information could be far-reaching, particularly in the context of increased scrutiny over personal data. Individuals must remain vigilant about how their data is shared and utilized, as any breach could have serious implications for their privacy and security. The author concludes that ensuring robust safeguards and policies is essential in this evolving landscape, to maintain trust and protect the rights of individuals in an era where personal information is more vulnerable than ever.

## 2) BACKGROUND.

a) **State Registrar.** The Office of Vital Records within DPH is the State Registrar for the State of California. The State Registrar is charged with maintaining a uniform system for registration and a permanent central registry with a comprehensive and continuous index for all birth, death, fetal death, marriage, and dissolution certificates registered for vital events which occur in California. Certified copies of these records are available from the State Registrar which maintains a permanent, public record of every birth and death that has occurred in California since July 1905, and has more than 50 million records on file. The State Registrar is a separate entity from local registrars and county recorders, but has supervisory power over local registrars. According DPH, after state registration, birth data are sent to:

i) The National Center for Health Statistics (NCHS) via the Inter-Jurisdictional Exchange (IJE) natality file. Birth data is used for surveillance and generating state and national statistics. The mother's place of birth is currently included in the IJE file whether the mother's place of birth is in the public or confidential section. The father's place of birth is not available to anyone. Although NCHS does not receive names of children or their parents, they do receive other fields that could be used for identification, including the mother's date of birth and residence address. Moving parent place of birth to the confidential section does not prevent their inclusion in the IJE file.

- ii) The Social Security Administration (SSA) receives birth data (e.g., names, mailing address, parent Social Security Numbers) from DPH when parents request a Social Security Number for their child, but parents' place of birth is not reported in this file.
  - iii) California Local Health Departments have access to birth data from their own county, including parents' place of birth, via the California Comprehensive Birth File in the Vital Records Business Intelligence System.
- b) **Local Registrars and County Recorders.** Health officers of local health departments serve as the local registrars for their respective health jurisdiction, and perform all the duties of a local registrar of births and deaths. Before birth and death records are registered with the State Registrar, the records are first registered by the county health department and recorded by the county recorder's office in the local jurisdiction where the birth or death took place. The county health department keeps birth and death records for current year events and one year prior, but records for all years are maintained by the county recorder.
- c) **Birth certificate availability.** According to DPH, there are two types of birth certificates available: a certified copy and a certified informational copy. The certified copy is only available to an authorized person (generally, the registrant or their family member, law enforcement, the registrant's attorney, or a person empowered by the court). Any person who is not an authorized person can obtain a certified informational copy. The main differences between certified and certified informational copies of birth certificates are that an informational copy will have Social Security numbers and signatures redacted along with a legend across the document that states, "INFORMATIONAL, NOT A VALID DOCUMENT TO ESTABLISH IDENTITY." The confidential section of a birth record is restricted and contains confidential medical and social information, which is often used for health or research purposes. Only the registrant, the parent who signed the certificate, or a person who has petitioned to adopt the person named on the certificate can receive the confidential section of the birth certificate.
- d) **Birthright Citizenship.** The Fourteenth Amendment of the U.S. Constitution guarantees birthright citizenship, stating that all persons born or naturalized in the U.S. are citizens of the U.S. and of the State wherein they reside. In the Supreme Court case *United States v. Wong Kim Ark* (1898), the decision clarified that children born in the U.S. to immigrant parents are citizens, regardless of their parents' immigration status. On January 20, 2025, however, President Trump issued Executive Order (EO) 14160, titled "*Protecting the Meaning and Value of American Citizenship*" that would narrow U.S. birthright citizenship by excluding children born in the U.S. to mothers who are either unlawfully present or legally present but on temporary status, unless the father is either a U.S. citizen or lawful permanent resident. The EO was challenged and on June 27, 2025, the Supreme Court released its decision in the case *Trump v. Casa*. The decision limits the ability of lower courts to issue nationwide injunctions and allows the EO to take effect in 30 days in the jurisdictions that have not challenged it. It would not take effect in California. The Court did not rule on the constitutionality of the EO.
- e) **Medicaid and tax data provided to immigration officials.** According to the Associated Press, in June 2025 the Trump Administration provided deportation officials with personal data, including the immigration status, on millions of Medicaid enrollees (the

Medi-Cal program in California). The data includes addresses, names, social security numbers, and claims data for enrollees in California, Washington, and Illinois. The Trump Administration has sought other avenues for obtaining information on immigrants in the U.S., including tax data from the Internal Revenue Service. According to a press release from Governor Newsom, the Centers for Medicare and Medicaid Services regularly receives data for every person enrolled in Medi-Cal, including immigrants with lawful status who are eligible for full-scope Medi-Cal, and undocumented immigrants who, under federal law, are eligible for Medicaid emergency services. Emergency Medi-Cal provides coverage for medical emergencies, including childbirth, for all eligible low-income residents of California, including undocumented immigrants. Every state has an emergency Medicaid program.

- 3) **SUPPORT IF AMENDED.** Oakland Privacy supports this bill, if amended, stating that California has recognized that the expansion of information contained in a birth certificate should be private, and has made some information confidential which can only be viewed by certain entities. The current federal administration is threatening to up-end the Fourteenth Amendment, which grants people born in the U.S. with citizenship. This bill would protect individuals born in California if born to immigrant parents by keeping the birthplace of parents confidential. Oakland Privacy supports striking a balance between privacy and the interests of public disclosure, in particular when it would be in the public interest to disclose certain information. By keeping the birthplace of parents confidential, it would make it harder for the public to obtain background information on public figures and fact-check statements. To balance privacy while maintaining the ability to hold public officials accountable for their rhetoric and actions, Oakland Privacy suggests allowing a process for approved entities, which includes journalists, to be able to petition a court for access to this confidential information and establishing a sunset clause.
- 4) **DOUBLE REFERRAL.** This bill has been double referred; upon passage in this committee, this bill will be referred to the Assembly Judiciary Committee.
- 5) **RELATED LEGISLATION.**
  - a) AB 64 (Pacheco) would allow the State Registrar, subject to an appropriation of funds, to require the use of a diacritical mark on an English letter on vital records, including birth certificates. AB 64 is pending in the Senate Appropriations Committee.
  - b) AB 1084 (Zbur) would streamline the process for legally changing one's name, including a change of name to match a person's gender identity. AB 1084 is pending in the Senate Judiciary Committee.
- 6) **PREVIOUS LEGISLATION.**
  - a) AB 2156 (Pacheco) of 2024 was substantially similar to AB 64 (Pacheco, 2025), except without the condition of an appropriation of funds. AB 2156 was held in the Assembly Appropriations Committee.
  - b) AB 77 (Pacheco) of 2023 was substantially similar to AB 2156 (Pacheco, 2024). AB 77 was held in the Assembly Appropriations Committee.

- c) AB 785 (Bloom) Chapter 539, Statutes of 2019, modifies the provisions surrounding who may be listed as a parent on a birth certificate when the child was born through assisted reproduction.
  - d) AB 15 (Nazarian) of 2019 would have required a birth certificate to include the email address and cell phone number of each parent in the confidential portion of the birth certificate. AB 15 was held in the Senate Rules Committee.
- 7) **POLICY COMMENT.** Information included on the confidential portion of the birth certificate can still be reported to the federal government for statistical purposes. While this information may not include names, it can include identifying information such as a parent's date of birth and address. Moving parent birthplace to the confidential portion would prevent that information from being disseminated publicly, but it still would be accessible to certain government entities (local, state, and federal) and to researchers. The author may wish to continue conversations with DPH to ensure the author's goal of keeping parent birthplace information confidential is met by this bill if the relevant information is still being provided to the federal government along with potential identifying information.

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

None on file

**Opposition**

None on file

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