

Date of Hearing: August 20, 2025

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

SB 313 (Cervantes) – As Amended May 1, 2025

Policy Committee:	Health	Vote:	12 - 1
	Judiciary		9 - 3

Urgency: No State Mandated Local Program: No Reimbursable: No

SUMMARY:

This bill requires the birthplace of each parent be contained in the confidential medical and social information section of the California Certificate of Live Birth.

FISCAL EFFECT:

The California Department of Public Health (CDPH) estimates annual General Fund costs of \$315,000 in Fiscal Year (FY) 2026-27, and \$157,000 in FY 2027-28 and ongoing to support the salary of one full-time position to process, review, and revise Certificate of Live Birth and Certificate of Fetal Death paper forms, as well as the cost of reprogramming the California Integrated Vital Records System.

COMMENTS:

1) **Purpose.** According to the author,

In the 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. However,...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. 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.

Senate Bill 313 requires [CDPH], upon an individual's birth in the U.S. to remove the parents' birthplace from the informational portion of the birth certificate, and include that information in the confidential portion of the document. This change aims to enhance the privacy of

families by keeping personal information secure and away from public access.

- 2) **Background. *Birth Certificates.*** Existing law specifies the information that must be included on a birth certificate for each child born in California, on either a public section or a confidential section. Public information requirements include the child's full name, date and hour of birth, child's sex, place of birth, and place of birth of each parent. Generally, birth certificates and records of birth are public information but only certain individuals, such as parents and the individual themselves, may access a certificated copy of a birth certificate.

The confidential portion of a birth certificate includes birth weight, the mother's pregnancy history, each parents' race and ethnicity, residence information, education level, and social security numbers if applicable. The information is kept confidential except for specified persons, including the person named on the certificate or the parent who signed the certificate, CDPH staff, the county coroner, researchers approved by the State Registrar, and other specified, mostly state government entities.

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. The Supreme Court decision in *United States v. Wong Kim Ark (1898)*, 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 limiting 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. The EO would not take effect in California.

- 3) **Policy Concern.** Oakland Privacy raises the concern that this bill would limit the right of public access, making it harder for the public to obtain background information on public figures and fact-check statements. To strike a balance between providing bolstered protections for children of immigrants and ensuring continued access to information necessary to keep public figures accountable, Oakland Privacy suggests two new elements: first, a process by which individuals could petition a court to gain access to the confidential information, and second, a sunset date.

Analysis Prepared by: Allegra Kim / APPR. / (916) 319-2081