

Date of Hearing: June 9, 2026

ASSEMBLY COMMITTEE ON JUDICIARY
Ash Kalra, Chair
SB 927 (Choi) – As Amended June 3, 2026

SENATE VOTE: 33-0

SUBJECT: INTERCOUNTRY ADOPTION FINALIZED IN A FOREIGN COUNTRY

SYNOPSIS

The United States Constitution grants the federal government exclusive jurisdiction over naturalization. Federal law dictates who automatically becomes a United States citizen, as well as how and when foreign nationals may obtain citizenship through naturalization. Since 2001, with the passage of the Child Citizenship Act (CCA) of 2000, most people adopted from another country are automatically eligible for citizenship once they enter the country. For those who do not automatically receive citizenship, California law provides two pathways by which the adoptive parent or adoption agency can finalize the adoptee's citizenship status: a process to finalize adoption in California courts, and a "readoption" petition process to establish a record of adoption in California for adoptions that were already completed out of the country. However, individuals who were adopted before the CCA was implemented, or were 18 or older in 2001, were not eligible for the CCA's automatic citizenship. In those cases, if the adoptee's adoptive parent or adoption agency failed to comply with the state court procedure to finalize the intercountry adoption, the adoptee may never have formally obtained U.S. citizenship. While state law cannot entitle someone to citizenship, this bill seeks to provide some adult adoptees access to state documentation, such as a revised birth certificate, that may ultimately assist the adoptee in establishing their citizenship.

This author-sponsored bill is supported by a number of adoptee advocacy organizations including the Sacramento Valley Korean American Community, and the U.S. Korea Alliance Association. There is no known opposition.

SUMMARY: Authorizes an adoptee to file a petition for readoption on their own behalf. Specifically, **this bill:**

- 1) Authorizes an adoptee of any age to file a petition for readoption on their own behalf if the adoptive parent or parents failed to file a petition as required and the adoption agency that facilitated the adoption failed to file a petition as required.
- 2) Clarifies that if a court finds that the adoptee may have been the subject of human trafficking or may be a dependent child, the court shall notify all appropriate authorities.
- 3) Authorizes the court to grant a petition for readoption that does not include all of the required documentation if all of the following apply:
 - a) The petitioner establishes, by a preponderance of the evidence, that they are the adoptee. The petitioner may present evidence as specified to establish the petitioner's identity as the adoptee and the consistent use of that identity over time;

- b) The petitioner establishes, by a preponderance of the evidence, that one or more of the required documents cannot be obtained due to the passage of time or other circumstances beyond the petitioner's control, including, but not limited to, the death or unavailability of the adoptive parent or parents and the closure, dissolution, or unavailability of the adoption agency;
 - c) The petitioner is able to establish, by a preponderance of the evidence, the fundamental facts necessary for the court to make the findings required to grant the petition.
- 4) Specifies that evidence presented to the court for purposes of a petition for an adoptee's petition for readoption that does not include all of the required documentation may include both documentary and nondocumentary evidence, including, but not limited to, testimony, declarations, court records, agency records, correspondence, and other corroborating sources of information the court deems sufficient to establish the fundamental facts necessary for the courts to make the findings required to grant the petition.
 - 5) Specifies that no single category of evidence is required or considered determinative to grant the petition and requires the court to evaluate the totality of the circumstances and the relevance and reliability of the presented evidence to determine whether the petitioner has met the burden of proof to establish the fundamental facts necessary for the court to make the findings required to grant the petition.

EXISTING LAW:

- 1) Establishes the processes and procedures for the adoption of an unmarried minor. (Family Code Section 8600 *et seq.*)
- 2) Establishes specific processes and requirements for an intercountry adoption of an unmarried minor, and processes for convention adoptions and non-convention adoptions. (Family Code Section 8900 *et seq.*)
- 3) Establishes a procedure through which a state resident who has adopted a minor from a foreign country can establish a record to prove the facts of the foreign adoption by filing a petition to readopt within the earlier of 60 days of the adoptee's entry into the United States or the adoptee's 16th birthday. Specifies documents to be included with the application, such as a certified or otherwise official copy of the foreign order of adoption and birth certificate, a report from at least one postplacement home visit by an intercountry adoption agency or contractor, a copy of a previously completed home study report, and proof that the child was granted lawful entry into the United States as an immediate relative of the adoptive parent or parents. (Family Code Section 8919 (a).)
- 4) Prohibits a readoption order petitioned for under 3) from being granted unless the court receives a copy of the reports, and requires the court to consider the postplacement visit or visits and the previously completed home study when deciding whether to grant or deny the petition for readoption. (Family Code Section 8919 (b).)
- 5) Requires an adoption agency that facilitated the adoption, if an adoptive parent who has adopted a child through an intercountry adoption that is finalized in a foreign country fails to file a readoption petition by the earlier of 60 days of the child's entry into the United States or the child's 16th birthday, or fails to provide a copy of the petition to each adoption agency

that provided the adoption services to the adoptive parent, to file a petition within 90 days of the child's entry into the United States and provide a file-marked copy of the petition to the adoptive parent and to any other adoption agency that provided services to the adoptive parent within five days of filing.

- a) Makes an adoptive parent liable to the adoption agency for all costs and fees incurred as a result of good faith actions taken by the adoption agency to fulfill this requirement.
 - b) Authorizes the Department of Social Services to take any appropriate disciplinary action against the adoption agency that fails to file the petition as required if the agency is licensed in the state and the department has actual or constructive knowledge that the petition was not filed. (Family Code Section 8919 (c).)
- 6) Requires a court that finds that the child who is the subject of a readoption petition may be the subject of human trafficking or may be a victim of, or at risk of, abandonment, abuse, or neglect, to, in accordance with existing law, notify all appropriate authorities. (Family Code Section 8919 (d).)
 - 7) Requires the clerk of the court to submit the order granting the petition to adopt to the State Registrar within 10 business days of granting the readoption petition, and requires the State Registrar to issue a delayed registration of live birth that lists the adoptive parent or parents as the child's legal parent or parents upon receipt. (Family Code Section 8919 (e).)
 - 8) Authorizes a state resident who has adopted a child through an intercountry adoption that is finalized in a foreign country to obtain a birth certificate for the child as specified. (Family Code Section 8919 (f).)
 - 9) Provides that a Hague Convention adoption certificate or, in outgoing cases, a Hague Convention custody declaration, obtained pursuant to specified federal regulations, shall be recognized as a final valid adoption for purposes of all state and local laws. (Family Code Section 8925.)
 - 10) Provides that a court report of adoption received from any court of record in the State, wherein the birth occurred outside the United States, the Territories, or Canada shall constitute a court order of delayed registration of birth, provided the court report contains a statement of the date and place of birth. (Health and Safety Code Section 102695.)
 - 11) Provides that a new birth certificate shall be established by the State Registrar upon receipt of either of the following:
 - a) A report of readoption from any court of record that has record of jurisdiction in this state, another state, the District of Columbia, in any territory of the United States, or in any foreign country, for any child born in California and whose birth certificate is on file in the office of the State Registrar.
 - b) A readoption order. (Health and Safety Code Section 102635.)
 - 12) Provides that a verified petition may be filed by any beneficially interested person with the clerk of the superior court in and for (1) the county in which the birth, death, or marriage is alleged to have occurred, (2) the county of residence of the person whose birth or marriage it

is sought to establish, or (3) the county in which the person was domiciled at the date of death in order to judicially establish the fact of, and the time and place of, a birth, death, or marriage that is not registered or for which a certified copy is not obtainable. (Health and Safety Code Section 103450.)

- 13) Automatically confers United States citizenship on a child adopted by United States citizen parent if the child satisfies specified requirements. (8 U.S.C. Sections 1101, 1431.)

FISCAL EFFECT: As currently in print this bill is keyed fiscal.

COMMENTS: While states generally maintain jurisdiction over family law, including adoption law, federal and state law can come into conflict as it relates to international adoptions. The United States Constitution grants the federal government exclusive jurisdiction over naturalization. Federal law dictates who automatically becomes a United States citizen, as well as how and when foreign nationals may obtain citizenship through naturalization. Generally, foreign-born children adopted by U.S. citizen parents are automatically conferred citizenship. However, federal law provides different processes for establishing the child's citizenship depending on various underlying facts, such as the child's country of origin or type of visa issued to enter the country following the adoption.

Citizenship through adoption under existing law. Since 2001, and the enactment of the Child Citizenship Act, most foreign-born children adopted by U.S. citizens automatically become citizens when they enter the country. If the adopted child was born in a country that is a party to the Hague Convention and their adoption was completed in their birth country, that child receives citizenship upon entry into the United States and should receive their Certificate of Citizenship within 60 days. If either the adoption was not finalized in the child's birth country or that country is not a party to the Hague Convention, the adoptive parents must comply with the federal procedure to recognize the child's citizenship. The procedure includes a state-level process to either finalize the adoption in the United States or "readopt" the child.

California law bifurcates the processes for international adoptions between 1) children whose adoptions were not finalized in their birth country and 2) children whose birth country is not party to the Hague Convention. For those not finalized in their birth country, existing law requires birth parents to file a petition for adoption in California within 30 days of entry into the United States, at which point the court conducts the regular adoption process including a home study and a court finding that the adoption is in the child's best interest. At the conclusion of the adoption proceeding, the court issues an order of adoption which the parents can use to apply for citizenship with the United States Citizenship and Immigration Services (USCIS). (Family Code Section 8911.)

For adoptions finalized in a non-Hague country, California law provides a "readoption" procedure. Existing law requires parents to file a petition for readoption within 60 days of arriving in the United States or before the child turns 16, whichever is earlier. If the adoptive parents fail to do so, the obligation falls to the adoption agency that facilitated the adoption. In either case, the petition must include specified documents, including the original home study and a report of at least one postadoption home visit by the agency. If the court finds the adoption is in the child's best interest, it will issue a readoption order. The readoption order is then sent to the State Registrar who issues a delayed registration of birth, and may also be used to obtain a new birth certificate for the child with the adoptive parent's names. (Family Code Section 8919.)

California law recognizes adoptions completed in a Hague-member country, and recognizes the Hague adoption certificate as a final adoption certificate, and as such adoptive parents to these proceedings do not need to complete either additional state-level adoption procedures although they can proceed with the readoption petition should they so choose.

The problem facing many pre-2001 adoptees. Unfortunately, the existing statutory scheme for recognizing international adoptions for purposes of obtaining citizenship only applies to adoptees who were younger than 18 on February 27, 2001. As a result, thousands of foreign-born adoptees whose adoptive parents or adoption agency never completed their naturalization process or otherwise establish their citizenship obtained through their adoption have been left without clear legal status, with estimates ranging between 30,000 to 200,000 affected individuals. In the wake of the second Trump administration, many of these adoptees fear arrest and deportation. Furthermore, many of these adoptees only recently realized they were not clearly citizens of the United States. Some discover they do not have citizenship while attempting to access government services such as applying for a passport or drivers licenses, or, in some particularly devastating cases, when they are stopped by federal agents on the street. Increased immigration enforcement actions across the country can also cause adoptees who discover they are not citizens from initiating their naturalization process for fear of bringing attention to their lack of status. (Elizabeth Williamson, *Born Abroad and Fearful of Ice, Adoptees Try to Prove They Belong* (March 23, 2026) The New York Times available at: <https://www.nytimes.com/2026/03/23/us/politics/foreign-adoptees-citizenship-immigration-enforcement.html>.)

Congress has recognized the legal loophole and has considered numerous bills to provide a solution, but none have been successful. (see: S. 2923 and HR 5492, Protect Adoptees and American Families Act (PAAF) (119th Congress, 1st Session).)

According to the author:

Since the 1950's, California has consistently ranked as one of the top destinations for foreign adoptee placements in the nation. When an intercountry adoption takes place, it is the responsibility of the adoptive parent or parents to finalize the adoption of their child once they reach the United States. However, the adoptive parents do not always complete the process.

Each time an adoptive parent in California fails to finalize their child's intercountry adoption, the adoptee is never issued a delayed registration of birth from the State Registrar to prove they are a legal US resident. After decades of adoptive parents failing to finalize foreign adoptions, tens of thousands of former adoptees are adults living in the United States without necessary identification or documentation, vulnerable to possible deportations.

I introduced AB 677 in 2019 to ensure that either a parent or adoption agency would finalize intercountry adoptions in order for adoptees to establish a record of their adoption prior to reaching adulthood.

SB 927 provides a process for foreign adoptees who are adults to petition on their own behalf when both their adoptive parents and adoption agency fail to complete their adoption. This ensures that intercountry adoptees can establish an official record of their adoption and legal residency in the US.

In an attempt to provide some recourse for international adoptees who fall into this legal limbo, **this bill** authorizes an adoptee to bring a petition for readoption if both their adoptive parents and adoption agency failed to do so. Recent amendments also allow an adoptee to proceed with the petition without all the required documentation so long as they can otherwise establish the relevant facts to allow a court to make the required findings. These amendments address the reality that many pre-2001 adoptees may have lost access to some, if not all, of the required documents as their adoptive parents may have passed away or the adoption agency may no longer exist.

As previously discussed, states have no authority to confer citizenship, that responsibility is reserved exclusively for the federal government. Therefore, while states can enact laws to facilitate issuance of documentation to help demonstrate someone is eligible for citizenship, including recognizing international adoptions, whether someone can ultimately become a United States citizen is beyond the reach of state law. However, this bill represents a measured attempt to provide potential recourse for adoptees in California to obtain documentation that may assist in their naturalization process and to that extent seems a worthwhile effort.

ARGUMENTS IN SUPPORT: This bill is supported by a number of adoptee advocacy organizations, the Sacramento Valley Korean American Community, and the U.S. Korea Alliance Association. In support of the measure, the Sacramento Valley Korean American Community submits:

SB 927 addresses a longstanding gap in California law. While existing statutes require adoptive parents or agencies to finalize intercountry adoptions during childhood, many individuals adopted decades ago were left without completed legal documentation, through no fault of their own. As a result, some adult adoptees lack the ability to prove their legal identity or family relationships.

This bill provides a narrow and practical remedy by allowing an adult adoptee to petition the court to finalize their adoption when both the adoptive parents and the responsible agency failed to do so. Upon approval, the individual may obtain a delayed registration of birth and the appropriate documentation.

SB 927 promotes legal clarity and administrative efficiency by:

- Providing a corrective pathway for individuals impacted by past procedural failures
- Ensuring consistency in adoption records and documentation
- Reducing legal uncertainty for affected adoptees
- Aligning state processes with principles of due process and equitable treatment

Importantly, this measure does not alter the underlying requirements for adoption. It ensures that those requirements can be fulfilled when they were previously left incomplete.

REGISTERED SUPPORT / OPPOSITION:

Support

Adoptee Rights Law Center PLLC
California Alliance for Adoptee Rights (CAAR)
Concerned United Birthparents

Sacramento Valley Korean American Community
Saving Our Sisters - Sos, Incorporated
U.S. Korea Alliance Association - Since 2011

Opposition

None on file

Analysis Prepared by: Manuela Boucher-de la Cadena / JUD. / (916) 319-2334