

AMENDED IN ASSEMBLY APRIL 1, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2528

**Introduced by Assembly Member Skinner
(Coauthors: Assembly Members Gonzalez, V. Manuel Pérez, and
Ting)**

February 21, 2014

An act to amend Section 298.5 of the Family Code, to add Section 102425.5 102132 to the Health and Safety Code, and to add Sections 12800.1 and 13000.2 to the Vehicle Code, relating to ~~certificates of live birth~~ state-issued identity documents.

LEGISLATIVE COUNSEL'S DIGEST

AB 2528, as amended, Skinner. ~~Certificates of live birth: State-issued identity documents:~~ diacritical marks.

Existing law requires that each live birth, fetal death, death, and marriage that occurs in the state be registered. Existing law charges the State Registrar with the execution of provisions regulating these and other vital records. Existing law requires the registrar to prescribe and furnish all record forms for use in carrying out those purposes, or to prescribe the format, quality, and content of forms electronically produced in each county for those purposes, and provides that no record forms or formats other than those prescribed by the registrar may be used.

Existing law also provides for the registration of domestic partnerships and requires 2 persons desiring to become domestic partners to complete and file a Declaration of Domestic Partnership with the Secretary of State, who returns to the parties a copy of the registered form and a Certificate of Registered Domestic Partnership.

Existing law also requires the Department of Motor Vehicles to issue drivers' licenses and identification cards. Existing law prescribes the form and content of Certificates of Registered Domestic Partnership, drivers' licenses, and identification cards.

This bill would require the State Registrar to ensure that diacritical marks on English letters are properly recorded on ~~the certificate of live birth~~ *all certificates of live birth, fetal death, or death, and all marriage licenses*, including, but not limited to, accents, tildes, graves, umlauts, and cedillas. The bill would require the registrar to develop procedures to include other reasonable requests relating to names on certificates of live birth. *The bill would impose similar requirements on the Secretary of State, with respect to Certificates of Registered Domestic Partnership, and on the Department of Motor Vehicles, with respect to drivers' licenses and identification cards.* The bill would state findings and declarations of the Legislature relative to the use of diacritical marks on certificates of live birth *and other forms of state-issued identity documentation.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
 State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares the following:
- 2 (a) A diacritical mark is used in the Latin script to change the
- 3 sound of a letter to which it is added and is used to distinguish the
- 4 meaning of the words in which those letters appear.
- 5 (b) These changes are significant, especially when considering
- 6 the proper pronunciation and meaning of a person's name.
- 7 (c) The act of naming a child is often a significant moment for
- 8 a family, and diacritical marks in a family name convey importance
- 9 both in meaning and familial or cultural traditions.
- 10 (d) It is in the best interest of the state to make reasonable
- 11 accommodations to parents' wishes when providing their child
- 12 with a legal name, including the wish to pass on familial or
- 13 culturally significant spellings and meanings, *and to ensure that*
- 14 *this information is accurately represented on other forms of*
- 15 *state-issued identity documentation.*
- 16 SEC. 2. Section 298.5 of the Family Code is amended to read:

1 298.5. (a) Two persons desiring to become domestic partners
2 may complete and file a Declaration of Domestic Partnership with
3 the Secretary of State.

4 (b) The Secretary of State shall register the Declaration of
5 Domestic Partnership in a registry for those partnerships, and shall
6 return a copy of the registered form and a Certificate of Registered
7 Domestic Partnership and, except for those opposite sex domestic
8 partners who meet the qualifications described in subparagraph
9 (B) of paragraph (5) of subdivision (b) of Section 297, a copy of
10 the brochure that is made available to county clerks and the
11 Secretary of State by the State Department of Public Health
12 pursuant to Section 358 and distributed to individuals receiving a
13 confidential marriage license pursuant to Section 503, to the
14 domestic partners at the mailing address provided by the domestic
15 partners.

16 (c) No person who has filed a Declaration of Domestic
17 Partnership may file a new Declaration of Domestic Partnership
18 or enter a civil marriage with someone other than their registered
19 domestic partner unless the most recent domestic partnership has
20 been terminated or a final judgment of dissolution or nullity of the
21 most recent domestic partnership has been entered. This prohibition
22 does not apply if the previous domestic partnership ended because
23 one of the partners died.

24 (d) When funding allows, the Secretary of State shall print and
25 make available upon request, pursuant to Section 358, a lesbian,
26 gay, bisexual, and transgender specific domestic abuse brochure
27 developed by the State Department of Public Health and made
28 available to the Secretary of State to domestic partners who qualify
29 pursuant to Section 297.

30 (e) The Certificate of Registered Domestic Partnership shall
31 include the name used by each party before registration of the
32 domestic partnership and the new name, if any, selected by each
33 party upon registration of the domestic partnership.

34 (f) *The Secretary of State shall ensure that diacritical marks on*
35 *English letters are properly recorded on all Certificates of*
36 *Registered Domestic Partnership including, but not limited to,*
37 *accents, tildes, graves, umlauts, and cedillas. The Secretary of*
38 *State shall develop procedures to include other reasonable requests*
39 *relating to names on Certificates of Registered Domestic*
40 *Partnership.*

1 SEC. 3. Section 102132 is added to the Health and Safety Code,
2 to read:

3 102132. The State Registrar shall ensure that diacritical marks
4 on English letters are properly recorded on all certificates of live
5 birth, certificates of fetal death, or certificates of death, and all
6 marriage licenses, including, but not limited to, accents, tildes,
7 graves, umlauts, and cedillas. The registrar shall develop
8 procedures to include other reasonable requests relating to names
9 on certificates of live birth, certificates of fetal death, or certificates
10 of death, and marriage licenses.

11 SEC. 4. Section 12800.1 is added to the Vehicle Code, to read:

12 12800.1. The department shall ensure that diacritical marks
13 on English letters are properly recorded on all drivers' licenses,
14 including, but not limited to, accents, tildes, graves, umlauts, and
15 cedillas. The department shall develop procedures to include other
16 reasonable requests relating to names on drivers' licenses.

17 SEC. 5. Section 13000.2 is added to the Vehicle Code, to read:

18 13000.2. The department shall ensure that diacritical marks
19 on English letters are properly recorded on all identification cards,
20 including, but not limited to, accents, tildes, graves, umlauts, and
21 cedillas. The department shall develop procedures to include other
22 reasonable requests relating to names on identification cards.

23 ~~SEC. 2. Section 102425.5 is added to the Health and Safety~~
24 ~~Code, to read:~~

25 ~~102425.5. The State Registrar shall ensure that diacritical marks~~
26 ~~on English letters are properly recorded on the certificate of live~~
27 ~~birth, including, but not limited to, accents, tildes, graves, umlauts,~~
28 ~~and cedillas. The registrar shall develop procedures to include~~
29 ~~other reasonable requests relating to names on certificates of live~~
30 ~~birth.~~