



® August 3, 2016

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The Honorable Ricardo Lara, Chair
Senate Appropriations Committee
State Capitol, Room 2206
Sacramento, CA 95814

**RE: Assembly Bill 2636 (Linder) – Certified copies of marriage, birth, and death certificates: electronic application.
As amended August 2, 2016 – SPONSOR
To be heard in Senate Appropriations Committee on August 8, 2016**

Dear Senator Lara:

The California State Association of Counties (CSAC) is pleased to sponsor Assembly Bill 2636, by Assembly Member Eric Linder, which would authorize the State Registrar, a local registrar, or county recorder to accept electronic acknowledgment, sworn under penalty of perjury, that the requester of a marriage, birth, or death certificate is an authorized person.

Existing law requires county recorders, upon payment of a required fee, to supply applicants a certified copy of birth, death, marriage, or divorce records if the request:

- Is written or faxed and accompanied by a notarized statement, sworn under penalty of perjury, that the requester is an “authorized person”; or,
- Is made in person, and the official takes a statement, sworn under penalty of perjury, that the requester is signing his or her own legal name and is an “authorized person”.

AB 2636 would amend Health and Safety Code §103526 to allow local jurisdictions to provide consumers with the option to complete an online request for vital records digitally, consistent with the current practices of more than 33 other states. Specifically, an official choosing to offer this option would provide a multilayered remote identity authentication method to establish the identity of the requestor and their acknowledgement as an authorized person electronically. The electronic transaction will be subject to compliance with the California Uniform Electronic Transactions Act.

Currently, a person requesting a certified copy of a vital record online must complete their request offline by separately executing a notarized affidavit of identity with a notary. The online request is not processed until the requestor mails or hand delivers the notarized affidavit to the Registrar’s office. The current process presents challenges for persons who do not have ready access to a notary or who lack formal identification. This includes persons who may reside overseas, are in the military, or do not have a valid driver’s license or identification (e.g., indigent or homeless customers). For every one of these requests, the individual has to separately complete an affidavit of identity with a notary, even though in 2013, AB 464 (Chapter 78, Statutes of 2013) took the first step in allowing persons to make part of their request for copies of vital records online. The current process is increasingly out of step with trends to

increase access to vital government services through online technologies; AB 2636 would streamline the request process by allowing people the option to complete their request online without the need to send a separate notarized affidavit.

California and Minnesota are the only two states in the nation which currently require a notarized statement in conjunction with the online request. The option of being able to fully submit an electronic request will significantly reduce processing time for customers. This process will also reduce the overall cost for obtaining copies of vital records. For example, the current fee for a certified copy of a birth certificate in Los Angeles County ranges from \$23 to \$28. The average notary fee for an affidavit is as much as \$20. The total fee for someone requesting this record under the current system of a partial online request could be as much as \$50. Contra Costa County processed 5,628 electronic orders last year - the staff time involved in document matching would have saved the county 1,426 staff hours or approximately 35 weeks of work that could have been dedicated to other tasks. Santa Clara County processed 12,277 electronic orders last year. The staff time involved in document matching would have saved the county 3,112 staff hours or approximately 77 weeks of work.

This legislation does not provide for electronic access to vital records online. The requestor will still receive a certified copy of the record by mail.

AB 2636 will reduce the amount of time for requesting a vital record and significantly reduce costs that would have been incurred submitting a notarized affidavit of identity. AB 2636 simply brings California vital records processing up to current digital standards by authorizing the use of modern technology utilized by local and state jurisdictions throughout the country. For these reasons, CSAC supports AB 2636.

You may contact me with any questions at (916)650-8117 or fconley@counties.org.

Sincerely,

A handwritten signature in cursive script that reads "Faith Conley".

Faith Conley
Legislative Representative

cc: The Honorable Eric Linder, California State Assembly
Members, Senate Appropriations Committee
Jolie Onodera, Consultant, Senate Appropriations Committee