



April 19, 2023

The Honorable Jim Wood
Chairman, Assembly Committee on Health

RE: AB1302: OPPOSE/DO NOT PASS

Dear Chairman Wood and Members of the Committee:

I am an attorney, adoptee, and the founder of Adoptee Rights Law Center, a law firm that represents adult adopted people. I am considered a national expert on issues related to adult adopted people and their rights to identity, heritage, and U.S. citizenship. I have testified in legislatures across the country on bills that impact adopted people, and I have also drafted numerous policy statements and bills, a number of which are now enacted into law. I ask for a **DO NOT PASS recommendation**.

The bill is not a step forward in the right direction, as proponents are characterizing it. AB1302, in its badly outdated and complex approach to the issue of a human right to identity, is reminiscent of bills enacted in the 1970s. Those bills used complex intermediary and notification systems that today are broken, ignored given the ubiquity of direct-to-consumer DNA testing, and do not serve anyone except private investigators and commercial search companies. The bill has no support among adoptee rights advocate

As the attached illustration demonstrates, AB1302 is so complicated in its structure that it should be rejected on fiscal impact alone, regardless of the underlying rights of adopted people to possess their own birth records. The bill, from the perspective of 21st century adoption law, should be dead on arrival and prompt a DO NOT PASS recommendation.

Best regards,

ADOPTEE RIGHTS LAW CENTER PLLC

Gregory D. Luce

CALIFORNIA

The Bureaucracy of AB1302

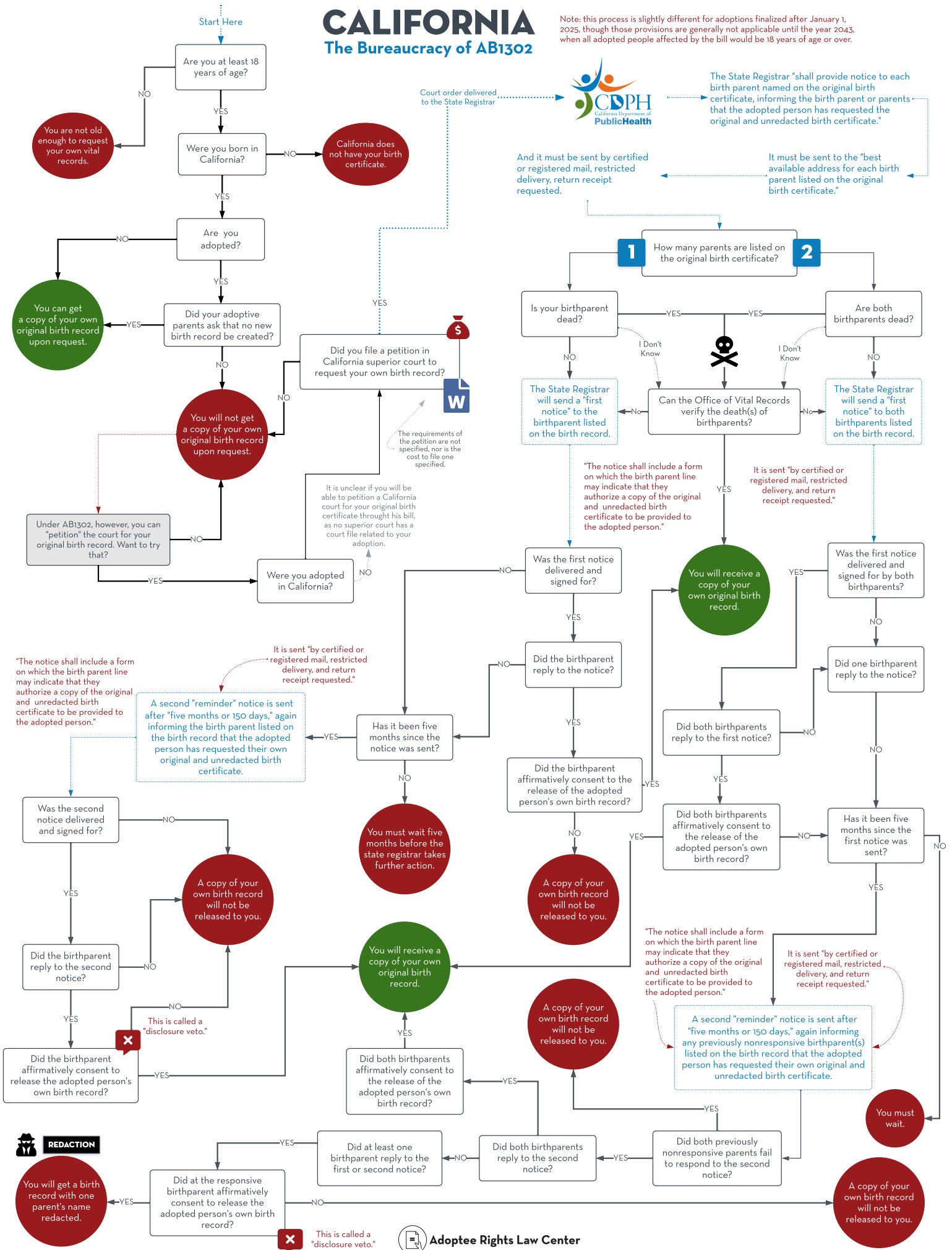
Note: this process is slightly different for adoptions finalized after January 1, 2025, though those provisions are generally not applicable until the year 2043, when all adopted people affected by the bill would be 18 years of age or over.



The State Registrar "shall provide notice to each birth parent named on the original birth certificate, informing the birth parent or parents that the adopted person has requested the original and unredacted birth certificate."

And it must be sent by certified or registered mail, restricted delivery, return receipt requested.

It must be sent to the "best available address for each birth parent listed on the original birth certificate."



"The notice shall include a form on which the birth parent line may indicate that they authorize a copy of the original and unredacted birth certificate to be provided to the adopted person."

A second "reminder" notice is sent after "five months or 150 days," again informing the birth parent listed on the birth record that the adopted person has requested their own original and unredacted birth certificate.

It is sent "by certified or registered mail, restricted delivery, and return receipt requested."

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It is sent "by certified or registered mail, restricted delivery, and return receipt requested."

A second "reminder" notice is sent after "five months or 150 days," again informing any previously nonresponsive birthparent(s) listed on the birth record that the adopted person has requested their own original and unredacted birth certificate.



You will get a birth record with one parent's name redacted.

This is called a "disclosure veto."