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HEALTH AND SAFETY CODE - HSC

DIVISION 102. VITAL RECORDS AND HEALTH STATISTICS [102100 - 103925] (*Division 102 added by Stats. 1995, Ch. 415, Sec. 4.*)

PART 1. VITAL RECORDS [102100 - 103800] (*Part 1 added by Stats. 1995, Ch. 415, Sec. 4.*)

CHAPTER 2. Administration [102175 - 102395] (*Chapter 2 added by Stats. 1995, Ch. 415, Sec. 4.*)

ARTICLE 2. Local Administration [102275 - 102395] (*Article 2 added by Stats. 1995, Ch. 415, Sec. 4.*)

[102275.](#) The health officer of any approved local health department, as defined in Article 1 (commencing with Section 101175) of Part 3 of Division 101 and approved thereunder, is the local registrar in and for all registration districts within that health jurisdiction and shall perform all the duties of local registrar of births and deaths.

(*Added by Stats. 1995, Ch. 415, Sec. 4. Effective January 1, 1996.*)

[102280.](#) In other areas, the State Registrar shall appoint a local registrar of births and deaths for each registration district, whose term of office shall be four years. The State Registrar may remove such appointee forthwith for failure or neglect to perform his or her duty.

(*Added by Stats. 1995, Ch. 415, Sec. 4. Effective January 1, 1996.*)

[102285.](#) The county recorder is the local registrar of marriages and shall perform all the duties of the local registrar of marriages.

(*Added by Stats. 1995, Ch. 415, Sec. 4. Effective January 1, 1996.*)

[102290.](#) Each assistant or deputy of a local registrar may perform all of the duties of the local registrar in the name and place of his or her principal.

(*Added by Stats. 1995, Ch. 415, Sec. 4. Effective January 1, 1996.*)

[102295.](#) Each local registrar is hereby charged with the enforcement of this part in his or her registration district under the supervision and direction of the State Registrar and shall make an immediate report to the State Registrar of any violation of this law coming to his or her knowledge.

(*Added by Stats. 1995, Ch. 415, Sec. 4. Effective January 1, 1996.*)

[102300.](#) Each local registrar shall supply blank forms to persons who require them.

(*Added by Stats. 1995, Ch. 415, Sec. 4. Effective January 1, 1996.*)

[102305.](#) The local registrar of births and deaths shall carefully examine each certificate before acceptance for registration and, if any are not completed in a manner consistent with the policies established by the State Registrar, he or she shall require further information to be furnished as may be necessary to make the record consistent with those policies before acceptance for registration.

(*Added by Stats. 1995, Ch. 415, Sec. 4. Effective January 1, 1996.*)

[102310.](#) The local registrar of marriages shall carefully examine each license before acceptance for registration and, if it is incomplete or unsatisfactory, he or she shall require any further information to be furnished as may be necessary to make the record satisfactory before acceptance for registration.

(*Amended by Stats. 2006, Ch. 816, Sec. 42. Effective January 1, 2007. Operative January 1, 2008, by Sec. 56 of Ch. 816.*)

102315. The local registrar shall affix his or her signature to each certificate in attest to the date of acceptance for registration in his or her office.

(Added by Stats. 1995, Ch. 415, Sec. 4. Effective January 1, 1996.)

102320. The local registrar shall number the certificates of live birth, fetal death, and death consecutively in separate series, beginning with number one for the first event in each calendar year.

(Added by Stats. 1995, Ch. 415, Sec. 4. Effective January 1, 1996.)

102325. The local registrar shall number each marriage certificate consecutively beginning with the number one for either the first event occurring, or first event registered in, each calendar year. Numbering may be based on either the year that the event occurs or the year of registration.

(Amended by Stats. 2006, Ch. 816, Sec. 43. Effective January 1, 2007. Operative January 1, 2008, by Sec. 56 of Ch. 816.)

102330. The local registrar shall make a complete and accurate copy of each certificate accepted for registration and shall preserve it in his or her office as the local registrar's copy of the record in the manner directed by the State Registrar.

(Added by Stats. 1995, Ch. 415, Sec. 4. Effective January 1, 1996.)

102335. Each local registrar of births and deaths shall transmit a copy of each original birth certificate and death certificate to the county recorder for the special county record, and shall, at the same time, forward the original certificates to the State Registrar pursuant to Section 102345.

(Repealed and added by Stats. 2018, Ch. 147, Sec. 2. (AB 2561) Effective January 1, 2019.)

102345. (a) The local registrar of births and deaths shall transmit each week to the State Registrar all original certificates accepted for registration by him or her during the preceding week.

(b) This section shall become operative on January 1, 1993.

(Added by Stats. 1995, Ch. 415, Sec. 4. Effective January 1, 1996.)

102346. (a) The local registrar of births and deaths shall transmit each month to the Department of Industrial Relations a copy of each certificate of death for which the death has been marked as work-related and which was accepted for registration by him or her during the preceding month.

(b) This section shall become operative on January 1, 2003.

(Amended by Stats. 2012, Ch. 46, Sec. 75. (SB 1038) Effective June 27, 2012.)

102350. The county board of supervisors may, by resolution, require the local registrar to send a copy of each certificate of death to the physician and surgeon whose statement appears on the certificate pursuant to Section 102825.

(Added by Stats. 1995, Ch. 415, Sec. 4. Effective January 1, 1996.)

102355. The local registrar of marriages shall transmit to the State Registrar not less than quarterly all original marriage certificates accepted for registration by him or her during the preceding quarter. Certificates shall be batched by calendar year of event prior to transmission. Certificates may be transmitted at more frequent intervals by arrangement with the State Registrar.

(Amended by Stats. 2006, Ch. 816, Sec. 44. Effective January 1, 2007. Operative January 1, 2008, by Sec. 56 of Ch. 816.)

102356. (a) For purposes of Section 102233, the local registrar of marriages shall submit to the State Registrar, at least annually, all of the following information concerning marriage certificates that are accepted for registration by them during the same calendar year and in which one or both of the parties were minors at the time of solemnization of the marriage:

(1) The total number of those marriage certificates.

(2) Itemized for each of those marriage certificates, the age of each party at the time of solemnization of the marriage.

(3) Itemized for each of those marriage certificates, the gender of each party, if available.

(b) The information submitted to the State Registrar pursuant to subdivision (a) shall not contain the names, addresses, or other personal identifying information of parties to a marriage certificate or information identifying a marriage certificate. The information shall not contain a marriage certificate or a copy of the court order described in Section 304 of the Family Code.

(c) The local registrar of marriages shall not submit information described in paragraphs (1) to (3), inclusive, of subdivision (a) if no marriage certificate described in subdivision (a) is accepted for registration by them during the same calendar year.

(d) (1) Notwithstanding any other law, no earlier than two years after the local registrar of marriages submits the information described in subdivision (a) to the State Registrar, the local registrar may dispose of that information.

(2) Notwithstanding any other law, immediately after the local registrar of marriages submits the information described in subdivision (a) to the State Registrar, the local registrar may dispose of the copy of the court order received from the person solemnizing the marriage pursuant to Section 423 of the Family Code.

(e) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the State Department of Public Health may implement this section through an all-county letter or similar instruction from the State Registrar without taking regulatory action.

(Amended by Stats. 2024, Ch. 984, Sec. 3. (SB 575) Effective January 1, 2025.)

102360. The local registrar of births and deaths shall furnish to the registrar of voters or county clerk not later than the 15th day of each month a notification of all deceased persons 18 years of age and over whose deaths were registered with him or her or of whose deaths he or she was notified by the state registrar of vital statistics during the preceding month. This notification shall include at least the name, social security number, sex, age, birthplace, birthdate, place of residence, and date and place of death for each decedent. Copies of this notification list shall be sent at the same time to the county welfare department and the local district social security office.

(Added by Stats. 1995, Ch. 415, Sec. 4. Effective January 1, 1996.)

102365. (a) Notwithstanding any other law, a local registrar of births and deaths, after two years from the date of registration and with the approval of, and under the supervision of, the State Registrar, shall dispose of the local registrar's copies of the records, if both of the following exist:

(1) The original copies of the records are on file in the office of the State Registrar.

(2) Copies of the records are on file in the office of the county recorder. If the county recorder does not have copies of the records, the county recorder may accept the State Registrar's copies as a special county record of the events.

(b) Notwithstanding subdivision (a), a local health jurisdiction that exclusively serves cities may issue a record older than two years if the record issued is the most accurate record on file with the State of California.

(Amended by Stats. 2019, Ch. 188, Sec. 1. (AB 1152) Effective January 1, 2020.)

102370. The local custodian of records is hereby authorized to receive original records or abstracts of records of any birth or death that were filed with any political subdivision prior to July 1, 1905, and to retain them as a special county record of the events.

(Amended by Stats. 1996, Ch. 889, Sec. 1. Effective January 1, 1997.)

102375. Special county records of birth certificates and death certificates transmitted and filed with the county recorder under this article shall be open for inspection by the public in accordance with regulations adopted by the department for local registrars.

Nothing in this section shall authorize the use of a certificate marked pursuant to subdivision (a) of former Section 10056.5 by any person compiling a business contact list.

(Added by Stats. 1995, Ch. 415, Sec. 4. Effective January 1, 1996.)

102380. The county recorder and the local registrar of births and deaths, with the approval and under the supervision of the State Registrar and with the approval of the board of supervisors of any county or city and county by ordinance, may authorize the transfer of special county records of deaths and marriages and local registrar's records of deaths for events that occurred subsequent to July 1, 1905, to a private nonprofit agency or public agency that shall preserve the records for local public use. The receiving agency shall protect and preserve the records to assure access for any person who has a need or interest in reviewing the records, and shall prohibit the photocopying or sale of copies of the records, but may convert the records to microform format.

If the office of the local registrar or the county recorder does not have copies of the records, that office is hereby authorized to accept them from the county recorder or local registrar.

(Added by Stats. 1995, Ch. 415, Sec. 4. Effective January 1, 1996.)

102385. If a public agency or private nonprofit agency that receives copies of records pursuant to this section is unable to assure the continued preservation and protection of those records for public use, the records shall be returned to the contributing local

registrar or county recorder.

(Added by Stats. 1995, Ch. 415, Sec. 4. Effective January 1, 1996.)

102390. Any record of death and marriage transferred to a public agency or private nonprofit agency pursuant to Section 102380 is exempt from Sections 102230 and 103245.

(Added by Stats. 1995, Ch. 415, Sec. 4. Effective January 1, 1996.)

102395. Special county records of birth, death, and marriage and the local registrar's records of birth, death, and marriage shall be subject to Sections 26205.5 and 26205.7 of the Government Code.

(Added by Stats. 1995, Ch. 415, Sec. 4. Effective January 1, 1996.)