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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

February 9, 2022

Sponsor Testimony- FAVORABLE - SB377- Marriage Records - Name Change

Senate Bill 377 is legislation to ensure Maryland marriage records honor the individuals and the union. This is a minor change in code, but a major relief to many proudly married Marylanders, who transitioned their gender identity during their union. We should applaud those who stay together after major transitions of any kind. Love is love. And marriage should be respected for the bonds that tie, not just tie us to the past because this problem hasn't been public before.

Presently, Maryland marriage records reflect the names and gender of the two individuals at the time of the issuance of the original marriage certificate. There is not a process to alter such documents in the event of a name change or change in gender identity. If a clerk is amenable, some changes may be available, but the change may be presented as an amended document, not as a completely new and original marriage record. This follows measures we took for birth certificates, and drivers licenses. Marriage is an important institution and government should respect it for what it is in reality and current context.

Moreover, there are several legal consequences should one's legal name or gender not align with their marriage record, to include the potential inaccurate insurance policies reflecting the identified gender omitted from record or death record issuance. Because marriage records are requested documents in various identity checks, questions may arise should the name or gender not fit the provided document and uncomfortable, very personal conversations be required. This bill also removes clerk discretion from the marriage record-changing process.

As a state, Maryland has removed gender change barriers to similarly important state documents such as driver's licenses, and birth certificates, however, a marriage certificate is even more important in many ways because it binds two people into one, and that union should be respected for the love that is expressed in the current moment. Let's celebrate love for what it is today. Forcing someone to remain in an untrue definition of a marriage is unjustified and cruel. For these reasons, I respectfully request a favorable vote for Senate Bill 377.