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*Subcommittees*  
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## THE MARYLAND HOUSE OF DELEGATES ANNAPOLIS, MARYLAND 21401

### House Bill: 369: Marriage Records – Name Change

Chair Clippinger, Vice-Chair Moon, and members of the Judiciary Committee:

For the record, I'm Delegate Lisa Belcastro and I appreciate the opportunity to present House Bill 369: Marriage Records – Name Change.

Currently in Maryland, we have clear and standard procedures in place for individuals seeking to change their name on a driver's license, birth certificates, and other identity documents.

By having standard procedures in place, agencies like the MVA and Department of Vital Records, have clear guidance on how to handle name changes for the documents under their jurisdiction.

Unfortunately, these same standard procedures do not exist for individuals seeking to change their name on a marriage certificate.

This lack of guidance has led to inconsistencies in how individual county clerks address name changes on marriage certificates. Some may be willing to make the changes with a specific court order, some may not allow it at all, or as in one documented case, an individual may be told to get divorced and re-married in order to change their name on their marriage certificate.

HB: 369 seeks to provide clarity and standard procedure in how name changes on marriage certificates are handled by our county clerks.

Under this bill, after being presented a court order for a name change, the county clerks would be mandated to issue a new marriage certificate accurately reflecting an individual's new name. Additionally, if the original marriage record issued designates the gender of the parties, the new record must be issued using, the now standard, gender-neutral language.

This bill will positively impact **any** Marylander that goes through the legal name change process and seeks to update their identity documents. However, I would be remiss if I didn't mention my reasoning for bringing the bill forward.

Having accurate identification is an issue of health and safety for many gender-nonconforming, trans, and nonbinary people, who may be subject to discrimination when forced to carry inaccurate or

mismatched documents. Due to many unnecessary barriers - navigating the world as a transgender person can be difficult. By removing these barriers, we create opportunities for individuals to live better and more authentic lives.

Not having access to accurate forms of ID, such as a marriage certificate, can also be a barrier to an individual being able to access health benefits or proving the existence of a spousal relationship. For example, when an individual starts a new job and wants to obtain healthcare coverage for their family or designate beneficiaries, in many cases a marriage certificate must be shown. If the name on the marriage certificate does not accurately reflect an individual's name and is mismatched with other identity documents, then this leads to a situation where one must out themselves simply to obtain the benefits they are entitled to.

I want to mention that this bill was introduced last session but was assigned to the Health and Government Operations committee. In the interim we worked closely with a group of county clerks from across the state to get this bill to a place where it could be implemented with success. While they have taken no official stance on the bill, I am thankful for their willingness to come to the table and work with us on this matter.

I would like to mention one amendment that is included in the committee testimony section of your floor system. It simply strikes the mention of paper records from the bill. Based on feedback from the county clerks, it would be too difficult for them to go back and change paper records. This amendment would ensure the bill's success without being too burdensome on those tasked with implementing it.

In closing, Maryland has a strong track record in reducing unnecessary barriers to the name change process for trans Marylanders – and HB 369 seeks to build on those prior successes.

Thank you for the opportunity to present HB 369 and I respectfully ask for your favorable report.