

Testimony Favorable to SB0314: Certificates of Birth, Licenses, and Identification Cards – Sex Designation (Birth Certificate Modernization Act)

February 5, 2025

Senator Pamela Beidle, Chair, Senator Antonio Hayes, Vice-Chair, and esteemed members of the Finance Committee:

I live in Montgomery County, and my career was in librarianship, including systems management with information about people in them. I am keenly aware of the importance of possessing accurate official documents for accessing services and exerting our rights as citizens, and for records and systems to have accurate information that matches other records and systems. I believe it is discriminatory and unfair to hinder people from correcting their government documentation to match their identity, and therefore I strongly support SB0314. I am seeking your committee's favorable report without amendments.

Birth certificate inaccuracies can create bureaucratic tangles and even injustice. Even small documentation differences, such as a misplaced accent or an inconsistently recorded hyphenated surname, can result in misplaced applications and delayed benefits. When the documentation difference is more substantial, as is the case when a parent or birth certificate holder has changed their name or public gender presentation, the consequences can be much more serious.

My transgender friends, colleagues, and neighbors are likely to face substantial obstacles when they can't easily obtain accurate birth certificates for their children or themselves. In Montgomery County, a parent or guardian needs to show the child's birth certificate for school enrollment. Currently, there is no clear path for trans and nonbinary Marylanders to update their own names on their children's birth certificates. Once they have been granted an order of name change through the Maryland Courts, SB0314 would create a clear path for transgender and/or non-binary parents to correct their children's birth certificates. SB0314 also clarifies that an X marker is permitted on Maryland certificates of birth and ensures existing birth certificates issued by the Maryland Department of Vital Statistics remain valid.

Birth certificates are also fundamental statements of citizenship. For people who change their name or documented gender, there are increasingly serious consequences for having mismatched identity documents, including for employment. Further, if the 2024 SAVE Act is brought back this year and becomes law, it will bar people across the US from voting without proof of citizenship, which is either a passport or a driver's license plus birth certificate. Therefore, mismatched birth certificate information may soon lead to the loss of enfranchisement.

Accurate, clear records and systems hold solemn significance in our lives. Marylanders deserve a clear means to update to their birth certificates to prevent the serious consequences of inaccuracies. I respectfully ask for the Finance Committee's favorable report on S0314: Certificates of Birth, Licenses, and Identification Cards - Sex Designation (Birth Certificate Modernization Act).

Respectfully,
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