

HB1368_RichardKaplowitz_FAV
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**Testimony on HB1386 - FAVORABLE
Certificates of Birth, Licenses, and Identification Cards - Sex Designation (Birth Certificate
Modernization Act)**

TO: Chair Pena-Melnyk, Vice Chair Cullison, and members of the Health & Government
Operations Committee

FROM: Richard Keith Kaplowitz

My name is Richard K. Kaplowitz. I am a resident of District 3, Frederick County. I am submitting this testimony in support of HB#1368, **Certificates of Birth, Licenses, and Identification Cards - Sex Designation (Birth Certificate Modernization Act)**

Maryland, believing in science and understanding that there is a difference between sex and gender, has an opportunity to acknowledge that fact and resist the Federal Government's attempt to impose a binary view of sex designation on a person's identification documents.

What is "legal sex"? Legal sex is the sex (male, female or X) recorded on an individual's state or government identification documents. This includes passports, driver's licenses, state IDs, green cards, birth certificates and other official documents. **What is "sex assigned at birth"?** Sex assigned at birth is the sex assigned when a baby is born. This is most often based on their anatomy and other physical characteristics. Sex assigned at birth is often listed on a birth certificate. **What does "X" mean?** X is a sex or gender marker. It is considered a legal sex that is not male or female. It can be listed on government identification documents, such as driver's licenses, passports and birth certificates. It is most commonly used by people who are intersex, transgender or nonbinary. ¹

Gender Identity is one's innermost concept of self as male, female, a blend of both or neither – how individuals perceive themselves and what they call themselves. One's gender identity can be the same or different from their sex assigned at birth. ² This bill understands this and seeks to make identification documents accept this truth.

This bill will accomplish this by altering the circumstances under which the Secretary of Health is required to make a new certificate of birth due to the change of a sex designation of an individual. That document should now designate sex as a current lived truth regardless of the sex assigned at birth. There will be guardrails on establishing requirements and implementing a prohibition related to the making of new certificates of birth in some circumstances. It will also make this sex designation match a person's current gender identity by altering the options for indicating an individual's sex designation on a license, identification card, or moped operator's permit issued by the Motor Vehicle Administration.

I respectfully urge this committee to return a favorable report on HB#1368

¹ https://www.nm.org/-/media/northwestern/resources/care-areas/gender-pathways/legal%20x%20patientfacing%20faqs_english.pdf

² <https://www.hrc.org/resources/sexual-orientation-and-gender-identity-terminology-and-definitions>