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Health and Government Operations Committee
240 Taylor House Office Building
Annapolis, Maryland 21401

Wednesday, February 19, 2025

HB1368 – Certificates of Birth, Licenses, and Identification Cards - Sex Designation (Birth Certificate Modernization Act)

Position: **FAVORABLE**

Chair Pena-Melnyk, Vice Chair Cullison, and Esteemed Members of the Health and Government Operations Committee:

My name is Ronnie L. Taylor, and I serve as the Advocacy, Policy, & Partnerships Director at FreeState Justice, a nonprofit organization dedicated to addressing legal and systemic inequities affecting Maryland's LGBTQIA+ community. I am here to testify in strong support of **HB1368**, the Birth Certificate Modernization Act, which seeks to streamline the process for individuals to amend the sex designation on vital records and identification documents.

HB1368 addresses the significant barriers faced by transgender, nonbinary, and intersex individuals in Maryland when attempting to align their legal documents with their gender identity. Under current law, individuals are required to provide a statement from a licensed healthcare practitioner to amend the sex designation on their birth certificate. This requirement not only imposes unnecessary medical gatekeeping but also subjects individuals to potential discrimination and financial burdens.

The significance of accurate identification cannot be overstated. According to the National Center for Transgender Equality, 40% of transgender individuals who presented identification that did not match their gender presentation reported harassment, 15% were asked to leave an establishment, and 3% were assaulted. These statistics underscore the urgent need for accessible processes that allow individuals to obtain identification reflecting their true selves.

HB1368 proposes the following key changes:

1. **Self-Attestation for Birth Certificate Amendments:** The bill removes the requirement for a healthcare practitioner's statement, allowing

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FreeState Justice, Inc. is a social justice organization that works through direct legal services, legislative and policy advocacy, and community engagement to enable Marylanders across the spectrum of lesbian, gay, bisexual, transgender, and queer identities to be free to live authentically, with safety and dignity, in all communities throughout our state.

individuals (or their guardians) to request a new birth certificate with a sex designation that differs from the original by submitting a written request under penalty of perjury. This change empowers individuals to self-identify without unnecessary medical intervention.

2. **Inclusion of Nonbinary Designation:** The legislation permits individuals to designate their sex as female, male, unspecified, or another. For those selecting unspecified or another, the birth certificate will display an "X" in the sex field. This inclusion acknowledges and validates nonbinary identities, promoting inclusivity and respect.
3. **Consistency Across Identification Documents:** HB1368 aligns the options for sex designation on licenses, identification cards, and moped operator's permits issued by the Motor Vehicle Administration with those on birth certificates. This consistency ensures that all state-issued identification documents accurately reflect an individual's gender identity.

Research indicates that legal gender affirmation is associated with improved mental health outcomes. A study published in the International Journal of Environmental Research and Public Health found that legal gender affirmation was significantly associated with lower reports of depression, anxiety, somatization, and global psychiatric distress. These findings highlight the positive impact of accessible legal recognition on the well-being of transgender individuals.

In closing, I respectfully urge the committee to issue a favorable report for **HB1368**. This legislation not only addresses critical barriers faced by transgender, nonbinary, and intersex Marylanders but also reinforces our state's commitment to equity, dignity, and respect for all residents. By enacting the Birth Certificate Modernization Act, Maryland can serve as a model for inclusive policies that recognize and affirm the identities of all individuals.

Best,

Ronnie L. Taylor

Ronnie L. Taylor

Sources:

1. [*My Genderless ID Makes Me Feel Safe | ACLU*](#)
2. [*Legal gender marker and name change is associated with lower negative emotional response to gender-based mistreatment and improve mental health outcomes among trans populations - PMC*](#)