



HB1638, Birth Certificate Modernization Act
February 21, 2025
Support

Dear Chair Peña-Melnyk and Members of the Health and Government Operations Committee,

TRAC submits this testimony in favor of HB1638, which would streamline procedures for amending sex on birth certificates and introduce a gender-neutral designation option. It would also strengthen protections that reduce the risk of discrimination and harassment by ensuring documents are issued as new, not amended.

TRAC is a Maryland-based and entirely trans-led coalition committed to ensuring that all transgender and gender expansive Marylanders can live safe and affirming lives. Our membership includes healthcare providers, attorneys, academics, organizers and other community members.

We support this bill emphatically because having one's birth certificate align with one's identity, appearance, and life experience is important for one's livelihood and wellbeing. Members of our community need their identification documents to match their appearance and identity, especially in 2025 as more individuals will rely on state documentation for safe and accessible travel and daily life needs. The 94,000 trans and nonbinary Marylanders¹ need safe and accurate identity documents to access various identification cards, medical services, and other important opportunities that are basic human rights.

An accurate birth certificate is necessary to prove one's identity, age, and citizenship status. It is an important document for obtaining a driver's license, social security card, and passport, enrolling in school, opening a bank account, applying for jobs and filling out requisite paperwork, renting and buying homes, driving and renting cars, traveling by airplane, entering secure buildings, applying for government benefits (including Medicaid, food stamps, and social security), joining the military, claiming insurance or pension benefits, and getting a marriage license.

For anyone, these processes are stressful, complex and frustrating. Imagine fearing harassment, rejection, or worse because your birth certificate doesn't align with your identity or presentation. That's a whole lot of living that is obstructed when a bureaucrat, employee, or officer notices a person's gender marker does not match the person's identity or physical appearance and gives them a hard time about it. Indeed, according to the most recent U.S. Trans Survey, 22% of transgender people have been "verbally harassed, assaulted, asked to leave a location, or denied

¹ Meyer, Christopher. "We Can Do More to Support Maryland's 500,000+ LGBTQ+ Residents." *Maryland Center on Economic Policy*, 28 Feb. 2024, mdeconomy.org/we-can-do-more-to-support-marylands-500000-lgbtq-residents/.

services when they have shown someone an ID with a name or gender that did not match their presentation.”²

Trans and nonbinary Marylanders deserve to access necessary services with accurate documents and without harassment or denial of entry. We want to show our IDs without fear of retribution. We want to live free. Let Maryland be the champion for LGBTQ+ rights, joining states like California, New York, Pennsylvania, Arkansas, Vermont, and D.C.³ into the only future that matters, one where we are all equal and valued for what we are - human beings.

We respectfully urge this committee to return a favorable report on HB1638.

Sincerely,

The Trans Rights Advocacy Coalition

² Sandy E. James *et al.*, 2022 U.S. Trans Survey Early Insights, p. 22 (Feb. 2024), https://transequality.org/sites/default/files/2024-02/2022%20USTS%20Early%20Insights%20Report_FINAL.pdf.

³ Migdon, Brooke. “Here Are the States Where You Can (and Cannot) Change Your Gender Designation on Official Documents.” *The Hill*, The Hill, 15 Sept. 2022, thehill.com/changing-america/respect/diversity-inclusion/3507206-here-are-the-states-where-you-can-and-cannot-change-your-gender-designation-on-official-documents/.