

Written Testimony for **HB 1368/SB 314**: Certificates of Birth, Licenses, and Identification Cards - Sex Designation (Birth Certificate Modernization Act) - Please **VOTE NO** on this bill.

Dear Health and Government Operations Committee:

This bill reads "...the Secretary shall make a new certificate of birth for an individual if the Department receives satisfactory proof that:...

(1) The individual was born in this State; and (2) Regardless of the location, one of the following has occurred:

The individual, or if the individual is a minor or disabled person under guardianship, the individual's parent, guardian, or legal representative, has made a written request, UNDER PENALTY OF PERJURY, for a new certificate of birth with a sex designation that differs from the sex designated on the original certificate of birth; A court of competent jurisdiction has issued an order indicating that the sex of an individual born in this State has been changed; or Before October 1, 2015, the Secretary, as provided under regulations adopted by the Department, amended an original certificate of birth on receipt of a certified copy of an order of a court of competent jurisdiction indicating the sex of the individual had been changed...

A new certificate of birth shall be prepared on the following basis:...

The individual shall be treated as having at birth the status that later is acquired or established and of which proof is submitted...

(G) (1) When a new certificate of birth is made under subsection (b) of this section:

The sex designation of the individual on the new certificate of birth shall be the sex designation for which satisfactory proof has been submitted in accordance with subsection (b) of this section;

(2) A new certificate of birth made under subsection (b) of this section may not: Be marked "amended"; or Show on its face that a change has been made to: 1. A sex designation;

(3) (I) WHEN ISSUING A NEW CERTIFICATE OF BIRTH UNDER SUBSECTION (B) OF THIS SECTION, THE SECRETARY SHALL ALLOW AN INDIVIDUAL TO

DESIGNATE THE SEX OF THE INDIVIDUAL AS: 1. FEMALE; 2. MALE; OR 3. **UNSPECIFIED OR ANOTHER**. IF AN INDIVIDUAL INDICATES A SEX DESIGNATION OF UNSPECIFIED OR ANOTHER ON AN APPLICATION FOR A NEW CERTIFICATE OF BIRTH, THE SECRETARY SHALL ENSURE THAT THE NEW CERTIFICATE OF BIRTH DISPLAYS AN “X” IN THE LOCATION THAT INDICATES THE INDIVIDUAL’S SEX...

(2) A NEW CERTIFICATE OF BIRTH MADE UNDER SUBSECTION (C) OF THIS SECTION MAY NOT: BE MARKED “AMENDED”; OR SHOW ON ITS FACE THAT A CHANGE HAS BEEN MADE TO: 1. A SEX DESIGNATION...

(l) (1) If a new certificate of birth is made, the Secretary shall: **Substitute the new certificate of birth for any certificate then on file; and Place the original certificate of birth and all records that relate to the new certificate of birth under seal...**

11 (3) A certified copy of the certificate of birth that later is issued shall be a copy of the new certificate of birth, unless: (i) A court of competent jurisdiction orders the issuance of a copy of the original certificate of birth; or (ii) Title 5, Subtitle 3A or Subtitle 4B of the Family Law Article provides for the issuance of a copy of the original certificate of birth...

[(i)] (K) Upon receipt of a report or decree of annulment of adoption, the original certificate of birth shall be restored to its place in the files, and the adoption certificate and any accompanying documents are not subject to inspection except upon order of a court of competent jurisdiction or as provided by regulation.

[(j)] (L) If no certificate of birth is on file for the person for whom a new birth certificate is to be established under this section, and the date and place of birth have not been determined in the adoption or paternity proceedings: (1) A delayed certificate of birth shall be filed with the Secretary as provided in § 4–210 of this subtitle before a new certificate of birth is established; and (2) The new birth certificate shall be prepared on the delayed birth certificate form.

Article – Transportation 4 12–305.

(a) An application for a license, an identification card, or a moped operator’s permit shall allow an applicant to indicate that the sex the applicant identifies as is: (1) Female; (2) Male; or (3) **Unspecified or [other] ANOTHER**.

(b) The Administration shall ensure that the license, identification card, or moped operator's permit of an applicant who has indicated an unspecified or [other] ANOTHER sex on an application displays an "X" in the location on the license, identification card, or moped operator's permit that indicates the applicant's sex..."

This whole bill regarding sex designation, whether it is on a birth certificate or on a driver's license, is egregious, in its intent and in its application. People should not be able to change their sex on their birth certificate or driver's license solely because of feelings they have. Feelings change! Biological sex and DNA DOES NOT CHANGE!!

President Trump's Executive Order 14168 takes precedent over states attempting to pass legislation in direct opposition to the Executive Order. Executive Order 14168 is [Defending Women From Gender Ideology Extremism and Restoring Biological Truth to the Federal Government](#).

Please read over the Executive Order before this hearing.

State MVAs that issue driver's licenses are under the Federal Department of Transportation and The Division of Vital Records (DVR) of the Maryland Department of Health (MDH) that issues birth certificates is under the Federal Department of Health and Human Services (HHS). Therefore, President Trump's Executive Order sets the precedent that must be followed by the states in this regard.

Please **VOTE NO** on this bill.

Thank you.

Respectfully,

Trudy Tibbals

A Very Concerned Mother of 3 and Maryland resident