



Testimony for the Senate Finance Committee

February 25, 2025

SB 626 – Health – Birth Certificate Modernization Act

FAVORABLE

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The ACLU of Maryland supports SB 626, which empowers Marylanders to access accurate birth certificates for themselves and for their children. These changes will streamline gender marker policies among different Maryland agencies, easing burdens faced by members of the transgender community.

Trans Marylanders are unlikely to have identity documents that reflect their gender identity. In a 2023 survey conducted by Trans Maryland, only 14.4% of respondents said that all of their identity documents had their correct gender, and 51.2% of respondents had no identity documents that reflected their correct gender.¹ Individuals who have a disability or who make less than \$35,000 per year were even less likely to have accurate documents.² A majority of those without updated documents stated that they wanted to change their name or gender but had not yet done so, suggesting that administrative barriers prevent individuals from completing this process.

Trans people can face significant challenges if they lack accurate identification. Identity documents are an integral part of everyday life, required for fundamental activities like working, voting, travelling, accessing government institutions, and proving one's identity. Lacking these documents not only makes it harder to participate fully in these activities, but can also result in other health problems, including depression, suicidal ideation, and suicide attempts.³ Trans people without updated documents are also at higher risk for discrimination and harassment than those with documents that align with their gender identity. A 2022 survey conducted by the National Center for Transgender Equality found that twenty-two percent (22%) of the 92,329 respondents reported being verbally harassed, assaulted, asked to leave a location or denied services when they have shown

¹ Zachary A. Clements, et al., *Identity Documents and Trans People in Maryland: Experience with Name and Gender Markers*, TRANS MARYLAND (Jan. 2025), <https://drive.google.com/file/d/100KGkyBRtFm2uCHyVulf5dDwg-DWSQ1T/view>.

² *Id.*

³ Kyle KG Tan et al., *Barriers to Possessing Gender-Concordant Identity Documents are Associated with Transgender and Nonbinary People's Mental Health in Aotearoa/New Zealand*, LGBT HEALTH (Sep. 2022), <https://pmc.ncbi.nlm.nih.gov/articles/PMC9536333/pdf/lgbt.2021.0240.pdf>.

someone an ID with a name or gender that did not match their presentation.⁴ For all of these reasons, the World Health Organization has stated that lack of access to identity documents that match gender expression is associated with structural and social inequalities that perpetuate stigma and discrimination.⁵

SB 626 would ease these challenges by creating a uniform standard between the Maryland Department of Health Vital Statistics Administration and other Maryland agencies. This uniform standard will clarify the process for both trans individuals and state officials, helping increase the number of individuals who can access gender affirming documents. Doing so will demonstrate Maryland's commitment to ensuring a safe and supportive community for our transgender community.

For the foregoing reasons, the ACLU of Maryland urges a favorable report on SB 626.

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⁴ Sandy E. James et. al., *Early Insights: A Report of the 2022 U.S. Transgender Survey*, NATIONAL CENTER FOR TRANSGENDER EQUALITY (2023), https://transequality.org/sites/default/files/2024-02/2022%20USTS%20Early%20Insights%20Report_FINAL.pdf.

⁵ *Policy Brief: Transgender People and HIV*, WORLD HEALTH ORGANIZATION (Jul. 2015), https://iris.who.int/bitstream/handle/10665/179517/WHO_HIV_2015.17_eng.pdf.