



Montgomery County

Office of Intergovernmental Relations

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SB 626

DATE: April 1, 2026

SPONSOR: Senator Lam

ASSIGNED TO: Health

CONTACT PERSON: Leslie Frey (leslie.frey@montgomerycountymd.gov)

POSITION: SUPPORT WITH AMENDMENTS (Montgomery County Council)

Sex Designation on Certificates of Birth, Licenses, and Identification Cards and Birth Information Histories (Birth Certificate Modernization Act)

Senate Bill 626 repeals the requirement that a licensed health care practitioner determine that an individual's sex designation should be changed for the purposes of issuing a new birth certificate if the individual is not a minor or disabled person under guardianship. Instead, an individual must make an attestation, under penalty of perjury, to the Maryland Department of Health for a new birth certificate with a sex designation that differs from the original birth certificate. If a minor or disabled person under guardianship has a determination from a licensed health care practitioner that the minor or disabled person under guardianship's sex designation should be changed and the individual's parent, guardian or legal representative has made a written request for a new certificate of birth with a sex designation that differs from the sex designated on the original certificate of birth, the Secretary of Health is required to make a new certificate of birth.

When issuing a new birth certificate, the Secretary of Health must allow an individual to designate the sex of the individual as female, male, or unspecified or another. If an individual indicates unspecified or another, the Secretary must ensure that the new birth certificate displays an "X" in the location that indicates the individual's sex. The bill alters the sex designation option of "other" to "another" on an application for a license, identification card, or moped operator's permit. Furthermore, the bill alters provisions regarding a new birth certificate issued due to a name change of a parent listed on a birth certificate and makes other technical changes related to gendered language.

Finally, the bill requires the Secretary to make a keep a "birth information history" for each individual for whom a birth certificate is issued. This history is to contain the individual's name and sex designation at birth, among other information. If the history is "updated" under the bill, the history is sealed and not subject to the Maryland Public Information Act. However, the bill does not fully describe when or how the updated history may be accessed.

The Montgomery County Council urges the committee adopt amendments to remove Section 4-208.1 from the bill as its purpose and the means by which the birth information history could be accessed are not adequately described and are not necessary to achieve the original intent of the bill, which was to enable transgender parents to prove they are related to their own children after they have been granted

an order of legal name change through the Maryland Courts, ensure the validity of existing birth certificates, and ease the administrative burden of accessing accurate documents for the transgender community, resulting in increased accessibility to necessary services, healthcare, and public accommodations that align with their gender identity. Given the current national political climate, legislation such as this is essential to pass at the State level without added requirements such as a birth information history to protect members of our LGBTQ+ community, especially transgender and gender nonconforming individuals.

With the above amendment, Senate Bill 626 will aid in solidifying individuals' lived experiences and personal dignity by ensuring their legal documents properly reflect their gender identity. For the foregoing reasons, Montgomery County Council respectfully requests a favorable Committee report with amendments for Senate Bill 626.