

HOUSE No. 4363

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, February 5, 2020.

The committee on State Administration and Regulatory Oversight, to whom was referred the petition (accompanied by bill, House, No. 3664) of Mindy Domb, Marjorie C. Decker and others relative to a gender neutral designation on state documents and identifications, reports recommending the accompanying bill (House, No. 4363) ought to pass.

For the committee,

DANIELLE W. GREGOIRE.

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**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act providing for a gender neutral designation on state documents and identifications.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 13 of chapter 46 of the General Laws, as appearing in the 2016
2 Official Edition, is hereby amended by striking out subsection (e) and inserting in place thereof
3 the following subsection:-

4 (e)(1) If a person who is 18 years of age or older, or a person who is less than 18 years of
5 age with the written authorization of the person’s parent or guardian, wishes to correct the sex
6 designation on their birth certificate to accurately reflect their gender identity, the record of said
7 person shall be amended to accurately reflect the gender identity of the person if an affidavit
8 executed by the person to whom the record relates indicating the person's gender identity and
9 requested sex designation, and for a person less than 18 years of age a written authorization
10 executed by said person’s parent or guardian authorizing the change, has been received by the
11 state registrar or town clerk.

12 (e)(2) If a person who is 18 years of age or older, or a person who is less than 18 years of
13 age with written authorization of the person’s parent or guardian, wishes to correct the name on

14 their birth certificate, the record of said person shall be amended to accurately reflect the name of
15 the person if an affidavit executed by the person to whom the record relates indicating the
16 person's name, a certified copy of the legal change of name, and for a person less than 18 years
17 of age a written authorization executed by said person's parent or guardian authorizing the
18 change, has been received by the state registrar or town clerk.

19 SECTION 2. The office of the attorney general shall prepare a report listing all forms or
20 other documents of the commonwealth that require individuals to indicate their gender or sex.
21 The report shall indicate if the form or document allows a person to indicate a choice other than
22 male or female, if there is an opportunity for a person to change their indicated gender or sex,
23 and if the request for a person to indicate their sex or gender is required by federal or state law,
24 federal or state regulation, or by practice. The report shall identify the particular law or
25 regulation that is the basis for the request to indicate one's sex or gender. The report shall be
26 filed with the governor, the president of the senate and the speaker of the house of
27 representatives by January 1, 2021.

28 SECTION 3. All state issued forms, documents, identification cards and licenses that
29 provide for a gender or sex designation, including but not limited to drivers licenses, birth
30 certificates, voter registration forms and forms relative to state assistance and services, shall
31 include a gender neutral identification marker shown as an "X" that may be selected as a gender
32 designation. State agencies, departments and offices shall update their forms to include such
33 gender neutral identification markers by January 1, 2023.