



House of Representatives

General Assembly

File No. 684

January Session, 2015

Substitute House Bill No. 7006

House of Representatives, April 16, 2015

The Committee on Public Health reported through REP. RITTER of the 1st Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING BIRTH CERTIFICATE AMENDMENTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 19a-42 of the general statutes is amended by
2 adding subsection (i) as follows (*Effective October 1, 2015*):

3 (NEW) (i) The commissioner shall issue a new birth certificate to
4 reflect a gender change upon receipt of the following documents
5 submitted in the form and manner prescribed by the commissioner: (1)
6 A written request from the applicant, signed under penalty of law, for
7 a replacement birth certificate to reflect that the applicant's gender
8 differs from the sex designated on the original birth certificate; (2) a
9 notarized affidavit by a physician licensed pursuant to chapter 370 or
10 holding a current license in good standing in another state, an
11 advanced practice registered nurse licensed pursuant to chapter 378 or
12 holding a current license in good standing in another state, or a
13 psychologist licensed pursuant to chapter 383 or holding a current
14 license in good standing in another state, stating that the applicant has
15 undergone surgical, hormonal or other treatment clinically appropriate

16 for the applicant for the purpose of gender transition; and (3) if an
17 applicant is also requesting a change of name listed on the original
18 birth certificate, proof of a legal name change. The new birth certificate
19 shall reflect the new gender identity by way of a change in the sex
20 designation on the original birth certificate and, if applicable, the legal
21 name change.

22 Sec. 2. Section 19a-42b of the general statutes is repealed and the
23 following is substituted in lieu thereof (*Effective October 1, 2015*):

24 (a) In the case of a person who is a resident of this state and was
25 born in another state or in a foreign jurisdiction, [if such other state or
26 foreign jurisdiction requires a court decree in order to amend a birth
27 certificate to reflect a change in gender,] the probate courts in this state
28 shall have jurisdiction to issue [such] a decree of a change of sex.
29 [When a person has completed treatment for the purpose of altering
30 his or her sexual characteristics to those of the opposite sex, such] Such
31 person may apply to the probate court for the district in which such
32 person resides for a decree that such person's gender is different from
33 the sex designated on such person's original birth certificate and that
34 such birth certificate be amended to reflect the change in gender. The
35 application to the probate court shall be accompanied by [an affidavit
36 from a physician attesting that the applicant has physically changed
37 gender and an affidavit from a psychologist, psychiatrist or a licensed
38 clinical social worker attesting that the applicant has socially and
39 psychologically changed gender] the following documents: (1) A
40 written statement from the applicant, signed under penalty of law, that
41 the applicant's gender differs from the sex designated on the original
42 birth certificate; and (2) a notarized affidavit by a physician licensed
43 pursuant to chapter 370 or holding a current license in good standing
44 in another state, an advanced practice registered nurse licensed
45 pursuant to chapter 378 or holding a current license in good standing
46 in another state, or a psychologist licensed pursuant to chapter 383 or
47 holding a current license in good standing in another state, stating that
48 the applicant has undergone surgical, hormonal or other treatment
49 clinically appropriate for the applicant for the purpose of gender

50 transition. Upon issuance, such probate court decree shall be
51 transmitted to the registration authority of such person's place of birth.

52 (b) Nothing in this section shall be construed to limit the authority
53 of the Commissioner of Public Health to amend birth certificates in
54 accordance with section 19a-42, as amended by this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2015	19a-42
Sec. 2	October 1, 2015	19a-42b

Statement of Legislative Commissioners:

In Section 1(i)(2), "written statement" was changed to "notarized affidavit" for accuracy and to conform with the changes being made in Section 2(a)(2).

PH *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note**State Impact:** None**Municipal Impact:** None**Explanation**

The bill, which establishes criteria for certain birth certificate amendments, has no fiscal impact.

The Out Years**State Impact:** None**Municipal Impact:** None

OLR Bill Analysis**sHB 7006*****AN ACT CONCERNING BIRTH CERTIFICATE AMENDMENTS.*****SUMMARY:**

This bill allows any person who has undergone surgical, hormonal, or other clinically appropriate treatment for gender transition to change the sex designation on their birth certificate. Currently, state regulations prohibit transgender people from doing so unless they (1) completed gender assignment surgery and (2) supplied an affidavit from a specified mental health professional attesting that they are socially, psychologically, and mentally the designated sex (Conn. Agency Regs., § 19a-41-9).

The bill requires the public health commissioner to issue a new birth certificate to a transgender person who:

1. requests in writing, under penalty of law, a replacement birth certificate that reflects a gender different from the sex designated on their original birth certificate;
2. provides a notarized affidavit from a licensed physician, advanced practice registered nurse, or psychologist stating that he or she has undergone surgical, hormonal, or other clinically appropriate treatment (the bill does not define this term) for gender transition; and
3. if applicable, proof of a legal name change.

The bill also makes conforming changes to the statute allowing a probate court to issue a decree confirming that a state resident has changed gender if the person needs the decree to amend a birth certificate in the state or country where he or she was born.

EFFECTIVE DATE: October 1, 2015

COMMITTEE ACTION

Public Health Committee

Joint Favorable Substitute

Yea 23 Nay 2 (03/30/2015)