

# Government Administration and Elections Committee

## JOINT FAVORABLE REPORT

**Bill No.:** HB-5654

AN ACT CONCERNING AN ASSESSMENT OF THE UPDATING OF STATE FORMS, APPLICATIONS AND METHODS OF IDENTIFICATION TO INCLUDE

**Title:** A NONBINARY GENDER OPTION.

**Vote Date:** 3/31/2021

**Vote Action:** Joint Favorable Substitute

**PH Date:** 3/19/2021

**File No.:** 495

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### SPONSORS OF BILL:

The Government Administration and Elections Committee

### REASONS FOR BILL:

Agencies will be tasked with assessing the ability to update their forms, applications and identification methods to incorporate a nonbinary sex or gender option. This bill mandates that all state agencies submit their assessment results by January 1, 2022 to their committee of cognizance.

### RESPONSE FROM ADMINISTRATION/AGENCY:

**Department of Administrative Services (DAS):** DAS expressed support for this bill. In their testimony, DAS sought to address some of the logistical challenges that might occur in terms of fulfilling the provisions of the bill. For example, with CORE-CT, the state's human resources, payroll and financial system, there could be challenges in terms of health insurance requirements, which might differ depending on whether someone is a male or female. DAS also made note of implications that the bill could have with JobAps, which is the state's online employment center. While adding a nonbinary option would be fairly easy to implement, DAS believes that it could have an impact on agencies that use gender information to help fulfill their affirmative action plans.

**Melissa McCaw, Secretary, Office of Policy and Management (OPM):** The Office of Policy and Management expressed support for the incorporation of a non binary gender option on state forms, applications and methods of identification. In their testimony, OPM raised a series of logistical concerns that agencies may encounter in their efforts to try and accommodate this adjustment. OPM's testimony highlighted some of the executive agencies

that already have included or are working to include a nonbinary gender marker on their forms and licenses. Another concern that OPM addressed is the fact that several state agencies overlap with federal programs and databases, and therefore would not have the jurisdiction to alter federal forms and their methods of data collection. These agencies include the Department on Aging and Disabilities, the Department of Developmental Services, the Department of Mental Health and Addiction Services, the Department of Labor and the Department of Social Services.

**Rep. Jeff Currey, 11th District:** Rep. Currey acknowledged the existing language of Connecticut law, which can be isolating to people of nonconforming gender identity. Rep. Currey thanked the Office of Policy & Management for their willingness to work on this issue and move legislation forward. In passing this bill, Connecticut can dismantle the system discrimination that nonbinary people face when completing state forms.

**Rep. David Michel, 146th District:** Rep. Michel emphasized the omnipresence of hate, injustice, violence and dismissiveness in our society today. In the spirit of the ongoing social justice movements, Rep. Michel calls on the legislature to promote a more equitable system for nonbinary people to acknowledge their identity on state forms and applications.

**Connecticut Commission on Human Rights and Opportunities (CHRO):** CHRO expressed strong support for the bill. Citing Connecticut's decision to extend antidiscrimination protections to cover gender identity, CHRO believes that this is the next step towards protecting the dignity of vulnerable groups, including the transgender and nonbinary communities.

#### **NATURE AND SOURCES OF SUPPORT:**

**Kathleen Callahan, MSW, Community Programming and Development Lead, The Connecticut Women's Consortium:** Ms. Callahan cited a map created by the Movement Advance Project that shows all the states that allow gender markers beyond "male" and "female" The Connecticut Women's Consortium contends that expanding gender markers on identity documents would help transgender people access public resources and reduce the risk of discrimination and/or harassment.

**Center for Children's Advocacy:** In the testimony submitted to the committee, the Center for Children's Advocacy stated that accurate identification documents are necessary in terms of ensuring the well-being of children. In particular, amending identity documents might help transgender and nonbinary youth with gender affirmation. By affirming their gender on forms, studies have shown that mental health risks for youth are significantly reduced. In addition, the Center for Children's Advocacy cited the fact that many other states have provided an "X" gender marker option on identity documents. Passing this bill would help further Connecticut's commitment to inclusion.

**Maggie Goodwin, Board Member, NOW CT:** On behalf of NOW CT, Ms. Goodwin urged the committed to vote in favor of the bill. Recognizing that sex and gender are not the same, gender is non binary and an individual's gender identity is critical to one's self-worth, NOW CT believes it is the right time to include a non-binary gender option on all forms.

**Connecticut Women’s Education and Legal Fund (CWEALF):** CWEALF expressed the need for nonbinary individuals to accurately identify on state forms, applications and methods of identification. CWEALF cited research which found that accurate identification of one’s identity on government documents has a direct correlation with improved mental health and a reduction in suicidal thoughts.

**Kelly McConney Moore, Interim Senior Policy Counsel, American Civil Liberties Union of Connecticut (ACLU-CT):** The ACLU-CT expressed strong support for the passage of this bill. ACLU-CT contends that unnecessary barriers imposed by the government on nonbinary people violates the right to privacy and personal identity. Highlighting the importance of identity documents throughout a person’s life, the ACLU-CT believes that this bill would eliminate any potential discrimination and harassment that nonbinary people might face if they are forced to use identity documents that don’t accurately represent their gender.

**Luther Weeks, Secular Connecticut:** Secular Connecticut applauds the bill’s incorporation of a nonbinary gender option. However, Secular Connecticut would like to see the scope of the bill expanded to ensure that all oaths administered in Connecticut are not religious in nature.

**NATURE AND SOURCES OF OPPOSITION:**

None expressed.

**Reported by: Trevor Hoffman**

**Date: 3-31-21**