

Public Health Committee JOINT FAVORABLE REPORT

Bill No.: HB-6549

Title: AN ACT CONCERNING AMENDMENTS TO MARRIAGE CERTIFICATES.

Vote Date: 3/26/2021

Vote Action: Joint Favorable Substitute

PH Date: 3/17/2021

File No.: 436

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SPONSORS OF BILL:

Public Health Committee
Department of Public Health

REASONS FOR BILL:

A 2015 law allowed people to amend their sex designator on their birth certificate without having to undergo medical treatment. This bill would allow the birth certificate to align with the marriage certificate by updating the marriage certificate. Substitute language is submitted in line 51, referencing the original birth certificate.

RESPONSE FROM ADMINISTRATION/AGENCY:

Deidre S. Gifford, MD, MPH, Commissioner, Connecticut Department of Public Health:

Connecticut law was revised to allow a person to request an amendment to the sex designator on such person's birth certificate without having to undergo medical treatment. With the elimination of this requirement, the Department has seen a large increase in requests for sex amendments. However, the law only allows for the birth certificate to be updated, with no comparable law that allows for the updating of a marriage certificate. If gender transition occurs after a person is already married, that person's marriage certificate cannot be amended to reflect their current gender. The marriage certificate will continue to associate the person with their former gender and name.

The Department has received several requests to allow a marriage certificate to align with the person's current gender and would like to honor these requests. This bill will achieve this purpose.

Commission on Human Rights and Opportunities, State of Connecticut:

The changes in this bill are part of ongoing efforts by the legislature to remove barriers to transgender individuals who are legally changing their gender from the one assigned at birth. Often someone who is transgender encounters many challenges in daily living. By creating a straightforward pathway to changing one's identity on a marriage certificate, this bill is providing one less challenge to aligning one's legal identity with one's gender identity

NATURE AND SOURCES OF SUPPORT:

Connecticut Hospital Association:

CHA would like to request the following amendment that will resolve an issue that has been identified by hospital patients. From time to time hospital patients are unable, due to medical reasons, to appear in person at the registrar's office to obtain a marriage license. Our amendment seeks to provide some relief to these patients by requiring registrars to make all reasonable efforts to accommodate a patient in this unique circumstance. Current statute is silent on making the accommodation and is sometimes interpreted by registrars as requiring application to be made in person at the registrar's office. The amendment will provide additional clarity to registrars and the public as to what is permitted.

LGBTQ Legal Advocates and Defenders (GLAD):

Transgender and non-binary people, like others, need identity documents and records to open bank accounts, start new jobs, enroll in school, obtain health care, travel, and navigate everyday life.³ Having documents that do not reflect who they are or that do not match their other records can create significant problems in peoples' lives. Indeed, one recent U.S. survey found that mismatched identification exposes people to a range of negative outcomes, from denial of employment, housing, and public benefits to harassment and physical violence.

GLAD would support a process in which government documentation reflecting an applicant's gender as of the date of the request could serve as evidence to satisfy the commissioner's requirements. GLAD believes that a statutory provision that allows for any government documentation to serve as evidence for the requested change meets any state-based concerns regarding accuracy or the corrected record.

Kelly McConney Moore, Interim Senior Policy Counsel, American Civil Liberties Union of Connecticut (ACLU-CT):

Trans people have a fundamental right to live their lives as the people and gender they truly are. When the government puts up difficult and unnecessary barriers to trans people changing their identity documents, the government is in fact violating that person's right to their own identity and privacy.

HB 6549 is needed to ensure that trans people can obtain identity documents that affirm them instead of ones that violate their liberty interests.

Jason P. Prevelige, MHS, PA-C Chair, Legislative Affairs Committee, Connecticut Association of Physician Assistants:

ConnAPA respectfully requests that Physician Assistants (PAs) are included in this bill alongside Physicians, Advanced Practice Registered Nurses, and Psychologists. PAs are

routinely the primary providers of care for citizens of Connecticut, and as such need to be included in this bill. As it is there is already distrust, discomfort and difficulty accessing care by the transgender population. By forcing a transgendered individual that primarily sees a PA to see another provider for such a certification will create further disparity for the population.

PAs practice medicine and work across all specialties and practice settings. PAs assess, diagnose, and treat disease, and provide preventative and primary care. PAs are passionate about the well-being of their patients, and in these times especially, it is clear how crucial telemedicine has become.

NATURE AND SOURCES OF OPPOSITION:

There was no opposition submitted to this bill

Reported by: David Rackliffe

Date: April 19, 2021