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Date: (Filing No. H- )

**JUDICIARY**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
131ST LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 962, L.D. 1507, “An Act to Ensure the Accuracy of Vital Records with Respect to Gender”

Amend the bill by striking out all of section 2 and inserting the following:

'Sec. 2. 22 MRSA §2805 is enacted to read:

**§2805. New marriage certificate following gender marker change**

**1. New marriage certificate.** Upon receipt of an application that meets the requirements established by the department by rule, the State Registrar of Vital Statistics shall issue a new marriage certificate of a person married in this State to reflect a change of gender of the person and, if requested at the same time, to reflect the new first and middle names of the person. Notwithstanding section 2705, the new certificate may not be marked "amended."

**2. Original marriage certificate sealed.** When a new marriage certificate is issued under subsection 1, the state registrar shall provide a copy of the new marriage certificate to each municipal clerk who is required by law to have a copy of the marriage certificate on file. All copies of the original marriage certificate in the custody of any municipal clerk must be sealed from inspection or surrendered to the state registrar as the state registrar directs.'

Amend the bill in section 3 in subsection 1-A in the first 2 lines (page 1, lines 29 and 30 in L.D.) by striking out the following: "The certificate of death must include a gender field that includes options for male, female and X."

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

**SUMMARY**

This amendment, which is the majority report of the committee, provides that a person married in this State may apply to the State Registrar of Vital Statistics for a new marriage certificate reflecting the person's change of gender and the person's new first and middle

**COMMITTEE AMENDMENT**

1 names, if any. If a new marriage certificate is issued, it may not be marked "amended" and  
2 all copies of the original marriage certificate must be sealed from inspection.

3 The amendment retains the provisions of the bill directing that a death certificate reflect  
4 the desired gender identity of the individual who has died but removes the requirement that  
5 the gender field on a death certificate includes options for male, female and X. Instead, the  
6 form or format of the death certificate may be determined by the State Registrar of Vital  
7 Statistics pursuant to the Maine Revised Statutes, Title 22, section 2701.

8 **FISCAL NOTE REQUIRED**

9 **(See attached)**