SENATE DOCKET, NO. 411 FILED ON: 1/29/2021

SENATE . . . . . No. 2282

The Commonwealth of Massachusetts

PRESENTED BY:

Joanne M. Comerford

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to gender identity on Massachusetts identification.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
Joanne M. Comerford	*Hampshire, Franklin and Worcester*	
Jason M. Lewis	*Fifth Middlesex*	*2/23/2021*
Julian Cyr	*Cape and Islands*	*2/23/2021*
Rebecca L. Rausch	*Norfolk, Bristol and Middlesex*	*2/23/2021*
Jack Patrick Lewis	*7th Middlesex*	*2/24/2021*
Elizabeth A. Malia	*11th Suffolk*	*2/24/2021*
Mindy Domb	*3rd Hampshire*	*2/25/2021*
Michael J. Barrett	*Third Middlesex*	*2/25/2021*
Brendan P. Crighton	*Third Essex*	*2/25/2021*
James B. Eldridge	*Middlesex and Worcester*	*2/26/2021*
Cindy F. Friedman	*Fourth Middlesex*	*2/26/2021*
Eric P. Lesser	*First Hampden and Hampshire*	*3/16/2021*
Adam G. Hinds	*Berkshire, Hampshire, Franklin and Hampden*	*4/20/2021*
Tram T. Nguyen	*18th Essex*	*6/24/2021*

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By Ms. Comerford, a petition (accompanied by bill, Senate, No. 2282) of Joanne M. Comerford, Jason M. Lewis, Julian Cyr, Rebecca L. Rausch and other members of the General Court for legislation relative to gender identity on Massachusetts identification. Transportation.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *2213* OF 2019-2020.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

An Act relative to gender identity on Massachusetts identification.

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

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

(e) A person who is over the age of 18 or who is an emancipated minor, or the parent or guardian of a person who is a minor, may request a change in the sex designation on the person's birth record to a sex designation including, but not limited to, "female", "male" or "X." An "X" designation may indicate that the person is another gender or an undesignated gender. A request for a change in the sex designation on a birth record shall be accompanied by an affidavit executed under the penalty of perjury by the person to whom the record relates, or by the parent or guardian of the person if the person is a minor, attesting that the request is to conform to the

person's gender identity and is not made for any fraudulent purpose; provided, however, that no medical or health-care related documentation, court order or proof of change of name shall be required by a town clerk or other official in connection with a request under this subsection. The department of public health may promulgate regulations to implement this subsection.

SECTION 2. Chapter 90 of the General Laws is hereby amended by inserting after section 8M the following section:-

Section 8N. The registry of motor vehicles shall permit a person submitting an application under sections 8, 8B or 8E of this chapter or section 34B of chapter 138 to designate "X" , "M" or "F" for gender on an application for a driver's license, learner's permit, identification card or liquor purchase identification card. No documentation shall be required for such a designation.

The registrar of motor vehicles may promulgate regulations to implement this section.

SECTION 3. The secretary of administration and finance shall develop a plan to ensure that any state form or document issued by a state agency that requires an individual to indicate the individual's gender shall provide an opportunity for the individual to choose a gender option other than male or female; provided, however, that the secretary shall ensure that such a form or document complies with applicable federal rules and regulations. The secretary shall submit the plan to the clerks of the senate and house of representatives and the senate and house committees on ways and means not later than January 1, 2022.

SECTION 4. Section 1 shall take effect on January 1, 2022.