

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

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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.

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

**The Commonwealth of Massachusetts**

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

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

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

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

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

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

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

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

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