House Human Services Committee Members:

I am writing to express my opposition to HB 1297, which is related to the ability to correct or amend a birth certificate in North Dakota. This bill is in direct opposition to a law that is already in the North Dakota Administrative Code 33-04-12-02, which allows a person to change the sex designation on a birth certificate if the individual had undergone a sex conversion operation. This change requires a written request by the person who has had the surgery, an affidavit by the physician that performed the surgery, as well as an order of a court of competent jurisdiction decreeing a legal change in name. I believe that rather than further restricting the ability to make these changes on our birth certificate, we should be extending that to individuals who have medically transitioned, but do not have the desire or ability to have surgical procedures.

When I first read this bill, I asked myself what we need our birth certificate for as an adult that a name and/or sex designation change would be needed. I realized that I have used mine to enroll in schools, get a driver's license and passport, and get a job. If I were transgender, I would want my name and gender on these documents to match my appearance. When the gender on the birth certificate does not correspond to a person's identity it puts them at greater risk of harassment, discrimination, and hostility. This bill could be considered a violation of a person's right to privacy and equal protection under the law which is guaranteed by our Constitution.

Some may argue that the biological sex listed on a birth certificate is an important part of statistical data in the state. I would argue that we need statistical data that clearly represents the gender identity of people. Without that accurate data, research using that information is biased, and thus the research becomes flawed.

Please give this bill a Do Not Pass.

Thank you,

Jane Hirst
Minot, ND