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HB 1297
Senate Human Services
March 20, 2023,10:30am

Good morning, Madam Chair Lee and Senate Human Services committee members. For the record, my name is Darin Meschke, and I am the State Registrar and Director of the Vital Records Unit within the North Dakota Department of Health and Human Services (Department).

I'm appearing today to request some minor amendments to HB 1297 that align with current practices and the intent of several other bills in this legislative session that define sex as either male or female.

The current version of HB 1297 models the current practice within our office regarding changing a person's sex on a birth record. My testimony today is not meant to change the intent of this bill but instead help with the consistency of the terms used when changing sex on a birth record.

The current version of the bill uses the language gender identity change. There is a difference between gender identity and sex at birth, and we request that the language of this bill be amended. The requested amendments are meant to clarify that this bill is defining how we change an individual's sex on a birth record and not their gender identity. Again, to be clear, our requested amendments to this bill will not change the intent of the bill, but more clearly define what we believe is the intent of this bill.

The first of these amendments would be to remove and replace the words "Gender Identity" with the word "Sex" on line 6 so that it would read "sex change." Our office amends and corrects a person's sex, not gender identity, which section 1 clearly defines.

The second amendment would be to tweak the language in section 2 to align with the current practice of changing a person's sex on a birth record. Again, this is simply a clarifying language change without altering the intent. We would request that on line 10, the words "amended or" be added before the word "corrected." We believe this minor change adds a level of definition to match current practice, as subsections A and B are what we call corrections and subsection C is defined as an amendment.

In closing, Madam Chair, this bill defines into law the current practices for changing an individual's sex on a birth record and the current administrative code. These minor amendments clean up the language in the bill and align it with existing processes.

This concludes my testimony Madam Chair Lee, and I would stand for any questions.