

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS  
FISCAL IMPACT STATEMENT**

**LS 6920**  
**BILL NUMBER: SB 441**

**NOTE PREPARED: Jan 5, 2025**  
**BILL AMENDED:**

**SUBJECT:** Definition of Sex and Gender; Birth Certificates.

**FIRST AUTHOR:** Sen. Byrne  
**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:**  **GENERAL**  
 **DEDICATED**  
 **FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** This bill defines "sex" and "gender" for the purposes of the Indiana Code. It states that the definition of "sex" and "gender" are meant to be synonymous in the Indiana Code unless specifically defined otherwise and is clarifying language.

This bill requires the Bureau of Motor Vehicles (BMV) and the Indiana Department of Health (IDOH) to update the definition of sex used by the agencies. It requires the IDOH to:

- (1) identify birth certificates issued with a change in sex classification by court order;
  - (2) change the sex on the birth certificate back to the originating sex and reissue the birth certificate;
- and
- (3) void the superseded document.

**Effective Date:** Upon passage.

**Explanation of State Expenditures:** The bill will increase workload for the IDOH to comply with the bill's requirements regarding birth certificates and the agency's definition of "sex". These requirements should be able to be implemented using existing staffing and resources. *[The IDOH's administrative expenditures are currently paid from the Tobacco Master Settlement Fund, a dedicated fund.]*

The bill will increase workload for the BMV to comply with the bill's requirements regarding the gender of a permittee or licensee and the agency's definition of "sex". These requirements should be able to be implemented using existing staffing and resources.

State agencies may have an increase in workload to update rules, policies, documentation, media, or other files to comply with the bill's definitions of "sex" and "gender".

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** Local entities may have an increase in workload to update rules, policies, documentation, media, or other files to comply with the bill's definitions of "sex" and "gender".

**Explanation of Local Revenues:**

**State Agencies Affected:** Bureau of Motor Vehicles; Indiana Department of Health; all state agencies.

**Local Agencies Affected:** All local entities.

**Information Sources:**

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