

SENATE No. 2055

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:	
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	
<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>1/22/2019</i>
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>	<i>1/29/2019</i>
<i>Natalie M. Blais</i>	<i>1st Franklin</i>	<i>2/1/2019</i>
<i>Harriette L. Chandler</i>	<i>First Worcester</i>	<i>1/28/2019</i>
<i>Sonia Chang-Diaz</i>	<i>Second Suffolk</i>	<i>1/24/2019</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>	<i>1/31/2019</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>1/24/2019</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>1/30/2019</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>	<i>1/28/2019</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>1/31/2019</i>
<i>Nika C. Elugardo</i>	<i>15th Suffolk</i>	<i>1/29/2019</i>
<i>Paul R. Feeney</i>	<i>Bristol and Norfolk</i>	<i>1/31/2019</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>1/29/2019</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	<i>1/31/2019</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>	<i>1/31/2019</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>1/28/2019</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>1/23/2019</i>

<i>Eric P. Lesser</i>	<i>First Hampden and Hampshire</i>	<i>2/1/2019</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>1/30/2019</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>1/23/2019</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>	<i>1/29/2019</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	<i>2/1/2019</i>
<i>Christina A. Minicucci</i>	<i>14th Essex</i>	<i>1/29/2019</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>	<i>1/29/2019</i>

SENATE No. 2055

By Ms. Comerford, a petition (accompanied by bill, Senate, No. 2055) of Joanne M. Comerford, Rebecca L. Rausch, Michael J. Barrett, Natalie M. Blais and other members of the General Court for legislation relative to gender identity on Massachusetts identification. Transportation.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

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 1 of chapter 46 of the General Laws is hereby amended by inserting
2 after the second paragraph the following paragraph:-

3 Upon the request of the child’s parent or legal guardian, the sex indicated on a record of
4 birth may be designated as “X” for the child’s gender in lieu of “male” or “female.” No
5 documentation shall be required for such designation.

6 SECTION 2. Section 13 of chapter 46 of the General Laws is hereby amended by striking
7 out subsection (e) and inserting in place thereof the following subsection:-

8 (e) A person over the age of 18, an emancipated minor or the parents of a minor may
9 request a change in the sex on a birth record to include, but not be limited to, “female” “male” or
10 “X.” An “X” designation may indicate nonbinary, intersex, undesignated or other gender. No
11 medical or health-care related documentation, no court order, and no proof of change of name

12 shall be required by a town clerk or other official in connection with a request under this
13 subsection.

14 SECTION 3. Chapter 90 of the General Laws is hereby amended by inserting after
15 section 8M the following section:-

16 Section 8N. (a) The registry of motor vehicles shall permit a person submitting an
17 application under sections 8, 8B or 8E of this chapter or section 34B of chapter 138 to designate
18 “X” for gender in lieu of “male” or “female” on an application for a driver’s license, learner’s
19 permit, identification card or liquor purchase identification card. No documentation shall be
20 required for such designations.

21 SECTION 4. The office of the attorney general shall prepare a report listing all forms or
22 other documents of the commonwealth that require individuals to indicate their gender or sex.
23 The report shall indicate if the form or document allows a person to indicate a choice other than
24 male or female, if there is an opportunity for a person to change their indicated gender or sex,
25 and if the request for a person to indicate their sex or gender is required by federal or state law,
26 federal or state regulation, or by practice. The report shall identify the particular law or
27 regulation that is the basis for the request to indicate one’s sex or gender. The report shall be
28 filed with the governor, president of the senate and speaker of the house by January 1, 2020.

29 SECTION 5. The department of public health shall promulgate regulations to implement
30 sections 1 and 2 of the act. The registrar of motor vehicles shall promulgate regulations to
31 implement section 3 of this act. These regulations may be amended, as appropriate, to allow for a
32 person submitting an application under sections 8, 8B or 8E of chapter 90 or section 34B of
33 chapter 138 to designate “X” and additional designations for gender in lieu of “X”, “male” or

34 “female” if such an additional designation appropriately reflects the gender identity of
35 applicants.

36 SECTION 6. Sections 1 and 2 shall take effect on January 1, 2020.