

1 TO THE HONORABLE SENATE:

2 The Committee on Government Operations to which was referred House  
3 Bill No. 111 entitled “An act relating to vital records” respectfully reports that  
4 it has considered the same and recommends that the Senate propose to the  
5 House that the bill be amended as follows:

6 First: In Sec. 3, 18 V.S.A. § 5000, in the final sentence of subdivision  
7 (c)(1), by striking out the words “and the date” and inserting in lieu thereof the  
8 words and by the date

9 Second: In Sec. 17, 18 V.S.A. § 5016, in subdivision (c)(1), by inserting  
10 the following at the end of the sentence, before the period, and shall not be  
11 issued on antifraud paper

12 Third: In Sec. 22, 18 V.S.A. § 5073, in subdivision (a)(2), by striking out  
13 the word “father” and inserting in lieu thereof the word parent

14 Fourth: In Sec. 27, 18 V.S.A. § 5077a, in subsection (a), in the first  
15 sentence, by striking out “in the State Registration System.” and inserting in  
16 lieu thereof the following: in the Statewide Registration System. If the State  
17 Registrar denies an application under this subsection, the applicant may  
18 petition the Probate Division of the Superior Court, which shall review the  
19 application and relevant evidence de novo to determine if the issuance of a new  
20 birth certificate is warranted. If the court issues a decree ordering the issuance

1 of a new birth certificate, the State Registrar shall update the System in  
2 accordance with the decree.

3 Fifth: In Sec. 38, 18 V.S.A. § 5112, by striking out subsections (a) and (b)  
4 in their entirety and inserting in lieu thereof the following:

5 (a)(1) ~~Upon receiving from the Probate Division of the Superior Court a~~  
6 ~~court order that~~ receipt of an application for a new birth certificate and after  
7 receiving sufficient evidence to determine that an individual's sexual  
8 reassignment has been completed, the State Registrar shall update the  
9 Statewide Registration System and issue a new birth certificate to:

10 (A) show that the sex of the individual born in this State has been  
11 changed; and

12 (B) if the application is accompanied by a decree of the Probate  
13 Division authorizing a change of name associated with the change of sex, to  
14 reflect the change of name.

15 (2) The State Registrar shall record in the System the identity of the  
16 person requesting the new certificate, the nature and content of the change  
17 made, the person who made the change, and the date of the change.

18 (b)(1) An affidavit by a licensed physician who has treated or evaluated the  
19 individual stating that the individual has undergone surgical, hormonal, or  
20 other treatment appropriate for that individual for the purpose of gender  
21 transition shall constitute sufficient evidence ~~for the Court to issue an order~~

1 determine that sexual reassignment has been completed. The affidavit shall  
2 include the medical license number and signature of the physician.

3 (2) If the State Registrar denies an application under this section, the  
4 applicant may petition the Probate Division of the Superior Court, which shall  
5 review the application and relevant evidence de novo to determine if the  
6 issuance of a new birth certificate under this section is warranted. If the court  
7 issues a decree ordering the issuance of a new birth certificate under this  
8 section, the State Registrar shall update the Statewide Registration System and  
9 issue a new birth certificate in accordance with subsection (a) of this section.

10 Sixth: In Sec. 40, 18 V.S.A. § 5139, in subsection (b), in the second  
11 sentence, by striking out the words “harm would occur” and inserting in lieu  
12 thereof the words harm could occur

13  
14  
15 (Committee vote: \_\_\_\_\_)

16 \_\_\_\_\_

17 Senator \_\_\_\_\_

18 FOR THE COMMITTEE