

1 H.281

2 Introduced by Representatives McCann of Montpelier, Cordes of Bristol,
3 Graning of Jericho, Logan of Burlington, McGill of Bridport,
4 Olson of Starksboro, Pouech of Hinesburg, and Priestley of
5 Bradford

6 Referred to Committee on

7 Date:

8 Subject: Health; vital records generally; deaths, burials, and autopsies; death
9 certificate; gender identity

10 Statement of purpose of bill as introduced: This bill proposes to authorize the
11 State Registrar to correct or amend a death certificate to reflect the gender
12 identity of the deceased person.

13 An act relating to amending a death certificate to reflect gender identity

14 It is hereby enacted by the General Assembly of the State of Vermont:

15 Sec. 1. 18 V.S.A. § 5202a is amended to read:

16 § 5202a. CORRECTION, COMPLETION, OR AMENDMENT OF DEATH

17 CERTIFICATE

18 * * *

1 (g) Gender identity. The State Registrar may correct or amend a death
2 certificate to reflect the deceased person's gender identity at the time of death,
3 upon application by:

4 (1) the certifying licensed health care professional, medical examiner,
5 hospital, or nursing home; or

6 (2) the spouse, child, grandchild, parent, sibling, grandparent, or
7 guardian of the deceased person.

8 (h) Rules. Pursuant to 3 V.S.A. chapter 25, the Department shall adopt
9 rules as necessary for the purposes of implementing, administering, or
10 enforcing the correction or amendment of death certificates pursuant to
11 subsection (g) of this section. The rules adopted pursuant to this subsection
12 shall include:

13 (1) a list of the documents that may be accepted as prima facie evidence
14 of the deceased person's gender identity, including any relevant information
15 contained in an advanced directive;

16 (2) the forms and affidavits that shall be used to attest to the deceased
17 person's identity at the time of death; and

18 (3) procedures for an individual to file a predesignation of their gender
19 identity, which may be used by the State Registrar to render a final decision
20 concerning the correction or amendment of a death certificate.

1 Sec. 2. DEPARTMENT OF HEALTH; RULEMAKING; LEGISLATIVE

2 INTENT

3 It is the intent of the General Assembly that the Department of Health,
4 exercising rulemaking authority pursuant to this act, shall adopt a
5 comprehensive procedure for a health care professional or surviving family
6 member to attest to the gender identity of a deceased person. The procedure
7 shall ensure that any conflicting requests for the correction or amendment of
8 the gender identity on a death certificate are resolved through the consideration
9 and review of appropriate evidence.

10 Sec. 3. EFFECTIVE DATE

11 This act shall take effect on July 1, 2025.