

S.112

Introduced by Senators Hardy, Clarkson, Gulick, Vyhovsky and White

Referred to Committee on

Date:

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

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

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

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

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

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

\* \* \*

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

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

1           (2) the spouse, adult child, parent or guardian, adult sibling, or adult  
2           grandchild of the deceased person.

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

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

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

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

16       Sec. 2. DEPARTMENT OF HEALTH; RULEMAKING; LEGISLATIVE  
17       INTENT

18       It is the intent of the General Assembly that the Department of Health,  
19       exercising rulemaking authority pursuant to this act, shall adopt a  
20       comprehensive procedure for a health care professional or surviving family  
21       member to attest to the gender identity of a deceased person. The procedure

1     shall ensure that any conflicting requests for the correction or amendment of  
2     the gender identity on a death certificate are resolved through the consideration  
3     and review of appropriate evidence.

4     Sec. 3. EFFECTIVE DATE

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