

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
91st General Assembly
Regular Session, 2017

As Engrossed: H3/20/17
A Bill

HOUSE BILL 1894

By: Representatives Gates, Lundstrum, K. Hendren, Ballinger, McNair, D. Meeks, Payton

For An Act To Be Entitled

AN ACT TO REQUIRE THAT BIRTH CERTIFICATES LIST THE BIOLOGICAL SEX OF AN INDIVIDUAL AS DETERMINED AT BIRTH; TO PROHIBIT AMENDMENT OF A BIRTH CERTIFICATE TO CHANGE THE BIOLOGICAL SEX LISTED ON A BIRTH CERTIFICATE; AND FOR OTHER PURPOSES.

Subtitle

TO REQUIRE THAT BIRTH CERTIFICATES LIST THE BIOLOGICAL SEX OF AN INDIVIDUAL AS DETERMINED AT BIRTH; AND TO PROHIBIT AMENDMENT OF A BIRTH CERTIFICATE TO CHANGE THE BIOLOGICAL SEX LISTED ON A BIRTH CERTIFICATE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 20-18-301, concerning the content of certificates and reports of vital statistics, is amended to add an additional subsection to read as follows:

(e)(1) On a birth certificate, the biological sex of an individual shall be listed as either male or female.

(2)(A) Except as provided in subdivision (e)(2)(B) of this section, the biological sex of an individual shall be determined at the time of birth based on the genetic code of an individual at birth.

(B) For an individual with a genetic disorder or medical condition at the time of birth that makes biological sex difficult to determine, listing of the biological sex of the individual may be delayed up



to the fifth birthday of the individual.

(C) For an individual with a genetic disorder or medical condition similar to 5-alpha-reductase deficiency that becomes apparent in puberty or later in age, the listing of the biological sex may be amended and a new birth certificate may be issued upon evidence of the genetic disorder or medical condition.

(3) The biological sex listed on a birth certificate shall not be amended.

SECTION 2. Arkansas Code § 20-18-307(d), concerning the amendment of vital records and reports, is repealed.

~~(d) Upon receipt of a certified copy of an order of a court of competent jurisdiction indicating that the sex of an individual born in this state has been changed by surgical procedure and that the individual's name has been changed, the certificate of birth of the individual shall be amended accordingly.~~

/s/Gates