



## **HB 2673: Safety and Access for Transgender Oregonians**

*A streamlined process for updating personal information to reflect gender identity*

Oregon is on the forefront of LGBTQ equality nationally, however, many barriers still exist for transgender Oregonians. Due to lack of societal acceptance and outright discrimination, transgender Oregonians continue to experience severe economic hardship and instability. Removing financial and court barriers to updating personal documents to reflect name and gender changes is critical to reducing discrimination. Unfortunately, the current court process is hard to navigate, intrusive, public and costly.

**Background:** Currently to update their birth certificate, a transgender person must go through a court to request a legal name change or gender marker amendment and then take the court order to the OHA's Center for Health Statistics, Oregon's Vital Records Office. Many transgender Oregonians fear being publicly outed by having sensitive medical and personal information disclosed in open court and their gender and name changes posted on a public bulletin board. Some courts also require the disclosure of intrusive evidence of gender transition.

In addition, the court process is inconsistent from county to county and can be costly and hard to navigate. Many people who are transgender cannot afford representation to guide them through the process. Transgender Oregonians disproportionately have lower incomes, often due to discrimination in employment and health care access.

**HB 2673 would make two simple fixes to existing Oregon law to ensure that transgender Oregonians have access to a safer, more affordable and streamlined process for obtaining documentation that accurately reflects their gender identity:**

- 1. Creates a centralized administrative process to change name and gender marker on a birth certificate:** Establishes a centralized administrative method at the Oregon Health Authority (OHA) for transgender Oregonians to change their name and/or gender marker.
  - This proposed change would not eliminate the court order option, but would simply provide an additional administrative method for transgender people who face safety, logistical or cost barriers.
  - Both name and gender marker changes would be subject to proof of identification requirements already in place in OHA's Center for Health Statistics.
  - Making this change in Oregon law would create a process more similar to the process for modifying the gender marker for social security records.
- 2. Modernize outdated public posting requirements:** Currently, Oregon law has a public posting notice requirement for name change/gender amendment requests. Even if a court takes electronic petitions, a person may have to physically go to the court and post their petition on a public board. This onerous and outdated practice puts transgender individuals at risk by publicly posting their identity.

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