

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

# A Bill

HOUSE BILL 1894

5 By: Representatives Gates, Lundstrum, K. Hendren, Ballinger, McNair, D. Meeks, Payton  
6

## For An Act To Be Entitled

8 AN ACT TO REQUIRE THAT BIRTH CERTIFICATES LIST THE  
9 BIOLOGICAL SEX OF AN INDIVIDUAL AS DETERMINED AT  
10 BIRTH; TO PROHIBIT AMENDMENT OF A BIRTH CERTIFICATE  
11 TO CHANGE THE BIOLOGICAL SEX LISTED ON A BIRTH  
12 CERTIFICATE; AND FOR OTHER PURPOSES.  
13  
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## Subtitle

15 TO REQUIRE THAT BIRTH CERTIFICATES LIST  
16 THE BIOLOGICAL SEX OF AN INDIVIDUAL AS  
17 DETERMINED AT BIRTH; AND TO PROHIBIT  
18 AMENDMENT OF A BIRTH CERTIFICATE TO  
19 CHANGE THE BIOLOGICAL SEX LISTED ON A  
20 BIRTH CERTIFICATE.  
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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26 SECTION 1. Arkansas Code § 20-18-301, concerning the content of  
27 certificates and reports of vital statistics, is amended to add an additional  
28 subsection to read as follows:

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

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

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



1 to the fifth birthday of the individual.

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

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6 vital records and reports, is repealed.

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