

House File 798
Human Resources
Orr, Chairman
Plymat
Ramsey

APR 23 1975

Place On Calendar

Sen. Human Resources 5/2, Pass 5/30
Repl " " 1/12/76, Pass 1/27

HOUSE FILE 798

BY COMMITTEE ON HUMAN RESOURCES

Passed House, Date 4-28-75 (1390) Passed Senate, Date 1-30-76 (p. 181)

Vote: Ayes 65 Nays 12 Vote: Ayes 41 Nays 0

Approved 2-12-76

A BILL FOR

1 An Act to provide for change of sex on birth certificates.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section one hundred forty-four point twenty-
2 three (144.23), Code 1975, is amended by adding the following
3 new subsection:

4 NEW SUBSECTION. A notarized affidavit by a licensed
5 physician and surgeon or osteopathic physician and surgeon
6 stating that by reason of surgery or other treatment by the
7 licensee, the sex designation of the person has been changed.
8 The state registrar may make a further investigation or require
9 further information necessary to determine whether a sex
10 change has occurred.

11 Sec. 2. Section one hundred forty-four point twenty-four
12 (144.24), Code 1975, is amended to read as follows:

13 144.24 SUBSTITUTING FOR ORIGINAL. When a new certificate
14 of birth is established, the actual place and date of birth
15 shall be shown. The certificate shall be substituted for
16 the original certificate of birth. Thereafter, the original
17 certificate and the evidence of adoption, paternity, ~~or~~
18 legitimation, or sex change shall not be subject to inspection
19 except under order of a court of competent jurisdiction or
20 as provided by regulation for statistical or administrative
21 purposes, only. Upon receipt of notice of annulment of
22 adoption, the original certificate of birth shall be restored
23 to its place in the files and the new certificate and evidence
24 shall not be subject to inspection except upon order of a
25 ~~court-of-competent-jurisdiction~~ the district court.

26 EXPLANATION

27 This bill allows the state registrar to change the sex
28 designation on a person's certificate of birth upon receipt
29 of an affidavit by a physician that the sex of the person
30 has been changed by surgery or treatment. The state registrar
31 may make further investigation.

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LSB 727
db/rh/31

HOUSE FILE 798

AN ACT
TO PROVIDE FOR CHANGE OF SEX ON BIRTH CERTIFICATES.

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

Section 1. Section one hundred forty-four point twenty-three (144.23), Code 1975, is amended by adding the following new subsection:

NEW SUBSECTION. A notarized affidavit by a licensed physician and surgeon or osteopathic physician and surgeon stating that by reason of surgery or other treatment by the licensee, the sex designation of the person has been changed. The state registrar may make a further investigation or require further information necessary to determine whether a sex change has occurred.

Sec. 2. Section one hundred forty-four point twenty-four (144.24), Code 1975, is amended to read as follows:

144.24 SUBSTITUTING FOR ORIGINAL. When a new certificate of birth is established, the actual place and date of birth shall be shown. The certificate shall be substituted for the original certificate of birth. Thereafter, the original certificate and the evidence of adoption, paternity, or legitimation, or sex change shall not be subject to inspection except under order of a court of competent jurisdiction or as provided by regulation for statistical or administrative purposes, only. Upon receipt of notice of annulment of adoption, the original certificate of birth shall be restored to its place in the files and the new certificate and evidence

shall not be subject to inspection ~~except~~ upon order of a court-of-competent-jurisdiction the district court.

DALE M. COCHRAN
Speaker of the House

ARTHUR A. NEU
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 798, Sixty-sixth General Assembly.

DAVID L. WRAY
Chief Clerk of the House

Approved 2/12, 1976

ROBERT D. RAY
Governor