



Legislation Text

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Int. No. 491-A

By Council Members Johnson, Chin, Cohen, Constantinides, Garodnick, Koo, Lander, Levine, Palma, Richards, Rodriguez, Koslowitz, Levin, Torres, Reynoso, Rosenthal, Ferreras, Van Bramer, Kallos, Dromm, Mendez, Espinal, Weprin, Mealy, Menchaca, Cornegy, Rose, Barron, Cumbo, Ulrich, Dickens, Vacca, Arroyo and the Public Advocate (Ms. James)

A Local Law to amend the administrative code of the city of New York, in relation to amending sex designation on birth records.

Be it enacted by the Council as follows:

Section one. Chapter one of title 17 of the administrative code of the city of New York is amended by adding a new section 17-167.1 to read as follows:

§ 17-167.1 Sex designation on birth records. a. The department shall make a new birth record when an applicant submits an application and supporting documentation pursuant to this subdivision and subdivision b of this section requesting the correction of sex designation to the applicant's birth record. Such application shall be made in a form or manner to be provided or approved by the department. If the department requests information, documentation or a copy of an acceptable current signed photographic identification, the department may not take into account the sex designation listed on such identification in reviewing such application.

b. An application made pursuant to subdivision a of this section shall be accompanied by supporting documentation that is an affirmation from a physician licensed to practice medicine in the United States, or an affidavit from a professional licensed to practice in the United States who is a: doctoral level psychologist (Ph.D. or Psy.D.) in clinical or counseling psychology, clinical social worker, master social worker, physician assistant, nurse practitioner, marriage and family therapist, mental health counselor or midwife. Such

affirmation or affidavit shall include a declaration affirming or attesting under penalty of perjury that:

1. the professional is licensed and in good standing in the jurisdiction in the United States in which such professional is licensed; and

2. in keeping with contemporary expert standards regarding gender identity, the applicant's requested correction of sex designation of male or female more accurately reflects the applicant's sex or gender identity.

§ 2. This local law shall take effect forty five days after enactment.

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