

**CHAPTER 58**  
**(CORRECTED COPY)**

**AN ACT** concerning amended certificates of birth, designated as Babs Siperstein Law, and amending P.L.1984, c.191.

**BE IT ENACTED** by the Senate and General Assembly of the State of New Jersey:

1. Section 1 of P.L.1984, c.191 (C.26:8-40.12) is amended to read as follows:

C.26:8-40.12 Gender reassignment surgery; amendment of birth certificate.

1. The State registrar shall issue an amended certificate of birth to a person born in this State who requests an amended certificate of birth which shows the gender and, if applicable, the name of the person as it has been changed.

- a. The State registrar shall issue the amended certificate of birth upon receipt of: (1) a certified copy of an order from a court of competent jurisdiction which indicates that the name of the person has been changed, if the person has changed his or her name; and (2) a form provided by the State registrar and completed by the person, or the person's guardian, which affirms the following language: "I, (petitioner's full name), hereby attest under penalty of perjury that the request for a change in gender to (female, male, or undesignated/non-binary) is to conform my legal gender to my gender identity and is not for any fraudulent purpose."

- b. The amended certificate of birth shall be of the same general type as the original certificate of birth, and shall not be marked as amended.

- c. When an amended certificate of birth is issued, the State registrar shall notify the appropriate local registrar of vital statistics who shall enter the amended certificate in his local record and place his copy of the original certificate under seal.

- d. The State registrar shall place the original certificate of birth and all papers pertaining to the amended certificate of birth under seal. The seal shall not be broken except by order of a court of competent jurisdiction, or upon the request of the person who is the subject of the certificate of birth, or the parent or guardian, if the person is a minor.

Thereafter, whenever a certified copy of the certificate of birth is prepared, it shall be made from the amended certificate of birth except when an order of a court of competent jurisdiction requires that a certified copy be made of the original certificate of birth.

- e. In the case of a resident of this State who was born in another state or in a foreign jurisdiction, if such other state or foreign jurisdiction requires a court order in order to amend a certificate of birth to reflect a change in gender, a court in this State shall have jurisdiction to issue an order declaring a person's gender upon receipt of a statement affirming under penalty of perjury that the request for a declaration of female, male, or undesignated/non-binary gender is to conform with gender identity and not for any fraudulent purpose.

- f. The fee for issuing the amended certificate of birth is \$6.00.

2. This act shall take effect on the first day of the seventh month next following the date of enactment, but the State registrar may take such anticipatory administrative action in advance thereof as shall be necessary for the implementation of this act.

Approved July 3, 2018.