

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2015**

No. 1

Introduced 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.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on December 8, 2014 and returned unsigned by the Mayor on January 7, 2015.

MICHAEL M. McSWEENEY, City Clerk Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 1 of 2015, Council Int No. 491-A of 2014) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor and neither approved nor disapproved within thirty days thereafter.

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel.