



ACLU of Idaho
PO Box 1897
Boise, ID 83701
(208) 344-9750
www.acluidaho.org

Will the new Idaho birth certificate law affect me?

Idaho passed a new law this year about gender markers on Idaho birth certificates. A gender marker is the place on an Idaho birth certificate that says whether a person is “male” or “female.” The new law was known as House Bill 509 or HB 509.

What does the new law do?

The new law stops people from correcting the gender marker on an Idaho birth certificate. After the law takes effect on July 1, 2020, Idaho officials might not correct the gender marker on an Idaho birth certificate to match gender identity.

When does the law take effect?

The new law will take effect on July 1, 2020.

If I already got my gender marker corrected, will the new law affect me?

If you already got your gender marker corrected, the new law should not affect you. If you do not already have a certified copy of your corrected certificate, get one now and keep it in a safe place. If you have trouble getting a certified copy or have other trouble with your corrected certificate because of the new law, please let us know by [filing a report](#).

I want to correct the gender marker on my Idaho birth certificate but I have not done it yet. What can I do?

You can start the process now. The Idaho Bureau of Vital and Health Statistics handles this. They have a [packet with instructions and the form to fill out online](#). The fee is \$20. The new law takes effect on July 1, 2020. If you do not get your application in soon, it might not get processed before the new law takes effect. If you have any trouble getting your gender marker corrected before July 1, 2020, please let us know by [filing a report](#).

Will the new law be challenged in court?

There is already a court order from 2018 about this. That order bars Idaho from categorically denying transgender people from correcting the gender marker on their Idaho birth certificate.

[Lambda Legal](#) is the organization that won that ruling. Lambda Legal plans to enforce the 2018 order and to challenge the new law.

If I was not born in Idaho, does the new law affect me?

If you were not born in Idaho, then the new law does not affect you. To correct the gender marker on a non-Idaho birth certificate, you will have to follow the rules in the place that issued your birth certificate. The [National Center for Transgender Equality has help online](#) for other U.S. states and territories.

Can I still correct the gender marker on my Idaho driver's license or identification card?

You can still correct the gender marker on your Idaho driver's license or identification card. The new law should not affect that. The Idaho Transportation Department has [instructions and the form to fill out online](#). You will have to take the form to a driver's license office, turn in your old license or card, get a new photo, and pay the fees for a new license or card. If you have any trouble correcting the gender marker on your Idaho driver's license or identification card, please let us know by [filing a report](#).

Can I still correct the gender marker on my United States passport?

Yes, you can still correct the gender marker on your U.S. passport. The new Idaho law does not affect gender markers on passports. You can get more information about how to correct the gender marker on your U.S. passport from the [National Center for Transgender Equality](#) and the [U.S. Department of State](#).