**South Carolina General Assembly**

126th Session, 2025-2026

**H. 4515**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Long, Bannister, T. Moore, Haddon, Yow, Mitchell, Taylor, W. Newton, Guest, Gilliam, Herbkersman, Rankin and Hiott

Companion/Similar bill(s): 3095

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Introduced in the House on May 6, 2025

Currently residing in the House Committee on **Judiciary**

Summary: Birth Certificates

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

5/6/2025 House Introduced and read first time ([House Journal‑page 228](h:\hj\20250506.docx))

5/6/2025 House Referred to Committee on **Judiciary** ([House Journal‑page 228](h:\hj\20250506.docx))

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**VERSIONS OF THIS BILL**

[05/06/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/4515_20250506.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 44‑63‑20, 44‑63‑100, 44‑63‑150, AND 63‑3‑530, ALL RELATING IN PART TO CHANGES TO CERTIFICATES OF BIRTH, SO AS TO PROHIBIT THE AMENDMENT, MODIFICATION, CORRECTION, OR OTHER CHANGES TO THE GENDER OF INDIVIDUALS AS IT APPEARS ON THE ORIGINAL CERTIFICATE OF BIRTH, WITH EXCEPTIONS; BY ADDING SECTION 44‑63‑155 SO AS TO ALLOW CERTAIN CORRECTIONS TO BE MADE TO BIRTH CERTIFICATES BY FILING A COURT PETITION REQUESTING AN APPROPRIATE COURT ORDER; BY AMENDING SECTION 63‑7‑20, RELATING TO TERMS DEFINED IN THE CHILDREN’S CODE, SO AS TO CHANGE THE DEFINITION OF “CHILD ABUSE OR NEGLECT”; AND FOR OTHER PURPOSES.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 44‑63‑20 of the S.C. Code is amended to read:

Section 44‑63‑20. The Department of Public Health and Environmental Control shall establish a bureau of vital statistics and provide an adequate system for the registration and certification of births, deaths, marriages, and divorces by formulating, promulgating, and enforcing regulations prescribing the method and form of making the registration and certification. Notwithstanding another provision of law to the contrary, an individual’s gender listed on an original certificate of birth cannot be amended, modified, corrected, or otherwise changed.

SECTION 2. Section 44‑63‑100 (A) and (D) of the S.C. Code is amended to read:

(A) A petition may be filed in the South Carolina family court of petitioner’s residence, or if petitioner no longer resides in South Carolina, in a court of competent jurisdiction in the state of petitioner’s residence, for an order establishing a record of the name at birth, subsequent name changes, gender at birth, gender changes, date of birth, county of birth, and the full name of the mother prior to any marriages, and the full name of the biological father of the person whose birth is sought to be registered by way of a Delayed Certificate of Birth Established by Court Order.

(D) The court shall determine, and the order must include, the registrant’s name at birth, subsequent name changes, gender at birth, gender changes, the date of birth, the county of birth, the full name of the mother prior to any marriages, the full name of the biological father, and additional findings as the court considers necessary. The order also must include a description of the evidence presented to the court. The order must be forwarded by the clerk of court to the State Registrar no later than thirty days following the month in which the order was entered by the court.

SECTION 3. Section 44‑63‑150 of the S.C. Code is amended to read:

Section 44‑63‑150. (A) Correction of mistakes in birth and death certificates may be made by the state registrar upon written application duly verified and sworn to by the appropriate person as required by regulation and upon receipt of supporting evidence when required by regulation. Certificates corrected more than one year after the event must be marked “amended.”. The state registrar shall certify the corrected certificate is the true certificate. Supporting affidavits of fact must be attached to the certificate corrected more than one year after the date of the event.

(B) An individual’s gender listed on an original certificate of birth may not be changed as a correction made pursuant to this section; provided, however, a clerical error made at the time of birth regarding a newborn’s gender may be corrected within thirty days after issuance of the birth certificate.

SECTION 4. Chapter 63, Title 44 of the S.C. Code is amended by adding:

Section 44‑63‑155. A person may file a petition in the South Carolina family court of petitioner’s residence, or if petitioner no longer resides in South Carolina, in a court of competent jurisdiction in the state of petitioner’s residence, for an order establishing a record of a valid medical condition present at birth that is relevant to the record of birth, such as an anatomical condition where an individual is born with intersex traits.

SECTION 5. Section 63‑3‑530(A)(9) of the S.C. Code is amended to read:

(9) to hear and determine actions for the correction of birth records; provided, however, the court may not hear or determine actions to correct, amend, modify, or otherwise change the gender of an individual as listed on an original certificate of birth;

SECTION 6. Section 63‑7‑20(6)(a)(vi) and (vii) of the S.C. Code is amended to read:

(vi) commits or allows to be committed against the child female genital mutilation as defined in Section 16‑3‑2210 or engages in acts or omissions that present a substantial risk that the crime of female genital mutilation would be committed against the child; or

(vii) consents to the child undergoing any gender transition procedure, as the term is defined in Section 44‑42‑310, in another jurisdiction which, if performed in the State of South Carolina, would be prohibited by Section 44‑42‑320; or

(vii)(viii) has committed abuse or neglect as described in subsubitems (i) through (vi)(vii) such that a child who subsequently becomes part of the person’s household is at substantial risk of one of those forms of abuse or neglect; or

SECTION 7. This act takes effect upon approval by the Governor.

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