



2025 ASSEMBLY BILL 311

June 6, 2025 - Introduced by Representatives BRILL, MAXEY, GOEBEN, WICHGERS, PIWOWARCZYK, GUSTAFSON, STEFFEN, PENTERMAN, DUCHOW, NEDWESKI, CALLAHAN, MURPHY, DITTRICH, ALLEN and BEHNKE, cosponsored by Senators NASS, WANGGAARD and QUINN. Referred to Committee on Judiciary.

1 **AN ACT** *to amend* 69.15 (1) (a) and 69.15 (4) (b); *to create* 69.01 (1m), 69.115
2 and 69.12 (2m) of the statutes; **relating to:** changing an individual's sex on a
3 birth certificate.

Analysis by the Legislative Reference Bureau

Current law allows for changes to an individual's sex on a birth record due to a surgical sex-change procedure or to correct an error on a birth record, subject to certain requirements. Under this bill, an individual's sex on a birth record may not be changed due to a surgical sex-change procedure. Moreover, the bill prohibits any person from changing an individual's sex on a birth record to a sex other than the individual's biological sex. The bill also prohibits a court from ordering a change to an individual's sex on a birth record to a sex other than the individual's biological sex. Under the bill, "biological sex" means the biological state of being male or female based on sex chromosomes.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 69.01 (1m) of the statutes is created to read:
5 69.01 (1m) "Biological sex" means the biological state of being female or male

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1 based on sex chromosomes, without regard to psychological, chosen, or subjective
2 experience of gender.

3 **SECTION 2.** 69.115 of the statutes is created to read:

4 **69.115 Biological sex on a birth record.** No person may change the sex of
5 a registrant on a birth record to a sex other than the registrant's biological sex.

6 **SECTION 3.** 69.12 (2m) of the statutes is created to read:

7 69.12 (2m) A court may not order amendment of the sex of a registrant on a
8 birth record to a sex other than the registrant's biological sex.

9 **SECTION 4.** 69.15 (1) (a) of the statutes is amended to read:

10 69.15 (1) (a) The order provides for an adoption, or name change ~~or name~~
11 ~~change with sex change~~ or establishes paternity; and

12 **SECTION 5.** 69.15 (4) (b) of the statutes is amended to read:

13 69.15 (4) (b) Any person with a direct and tangible interest in a birth record
14 registered in this state may petition a court to change the name ~~and sex~~ of the
15 registrant on the record due to a surgical sex-change procedure. If the state
16 registrar receives an order which provides for such a change the state registrar
17 shall change the name ~~and sex~~ on the original record, except that if the court orders
18 the state registrar to prepare a new record the state registrar shall prepare a new
19 record under sub. (6). This subsection does not apply to a name change prohibited
20 under s. 301.47.

21 **SECTION 6. Initial applicability.**

22 (1) The treatment of ss. 69.12 (2m) and 69.15 (1) (a) first applies to a court
23 order issued on the effective date of this subsection.

24 (2) The treatment of s. 69.15 (4) (b) first applies to a petition filed under s.

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69.15 (4) (b) on the effective date of this subsection or a court order issued on the effective date of this subsection.

3 (END)