

Testimony in Opposition to House Bill 96

Ohio Senate Finance Committee

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Submitted by: Jordan Lowry

Chairman Jerry Cirino and Members of the Senate Finance Committee:

My name is Jordan Lowry, and I am testifying today in strong opposition to the provisions in House Bill 96 that would redefine legal sex as "biological sex" and impose restrictive identification requirements on Ohio residents.

The Human Cost of This Legislation

House Bill 96 goes far beyond budgetary matters to fundamentally alter how Ohio treats its transgender and intersex residents. The bill's identification provisions would:

- **Redefine legal sex** as "biological sex" under state law, potentially invalidating existing legal documents
- **Force disclosure of private medical information** by requiring "biological sex" to be displayed on driver's licenses and state IDs
- **Create legal chaos** by putting updated birth certificates out of compliance with federal Real ID requirements

Constitutional and Legal Concerns

This legislation raises serious constitutional issues:

Due Process Violations: Redefining legal sex retroactively could invalidate legally-obtained identification documents, creating legal uncertainty for transgender Ohioans who have properly updated their records through established legal processes.

Equal Protection Issues: Creating different standards for identification based on transgender status violates the Equal Protection Clause and treats transgender Ohioans as second-class citizens.

Federal Compliance Problems: The bill would put Ohio birth certificates out of compliance with Real ID requirements, potentially preventing Ohioans from boarding airplanes or entering federal buildings.

Economic Impact

Beyond the human cost, this legislation would impose significant economic burdens:

- **Increased enforcement costs** for law enforcement agencies tasked with policing identification documents
- **Administrative expenses** for state agencies required to implement new verification systems
- **Potential federal funding losses** if Ohio documents become non-compliant with federal standards
- **Legal defense costs** as the state defends inevitable constitutional challenges

Public Safety Concerns

Rather than improving safety, these provisions would:

- **Create administrative burdens** for state agencies implementing new verification requirements
- **Potentially compromise safety** for transgender individuals forced to carry identification that may not match their lived identity
- **Create confusion** in situations where identification verification is required

Real Ohioans, Real Harm

This isn't about abstract policy—it's about real Ohioans who will face real consequences:

- **Parents** who legally changed their children's documents to match their lived identity may find those documents no longer recognized under state law
- **Working adults** who have legally updated their identification may face complications in employment, banking, and other daily activities
- **Students** trying to get an education could face administrative barriers when their identification doesn't align with the state's new definition

Ohio's Values

Ohio has always prided itself on practical governance and treating all residents with basic dignity. This legislation abandons those values in favor of creating new categories of criminalized behavior that serve no legitimate government purpose.

The budget should focus on funding schools, fixing roads, and addressing the real challenges facing Ohio families—not creating new ways to criminalize and marginalize vulnerable residents.

Recommendations

I urge this committee to:

1. **Remove all transgender identification provisions** from House Bill 96
2. **Focus the budget on genuine state priorities** rather than divisive social issues
3. **Ensure Ohio remains in compliance** with federal identification requirements
4. **Uphold Ohio's tradition** of treating all residents with dignity and respect

Conclusion

House Bill 96's identification provisions represent government overreach at its worst—criminalizing law-abiding Ohioans, wasting taxpayer resources, and solving no actual problems. These provisions have no place in a budget bill and no place in Ohio law.

I urge you to stand with all Ohioans by removing these harmful provisions and focusing on the legitimate business of governing our great state.

Thank you for your time and consideration. I am happy to answer any questions.

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