State of Wisconsin
2025 - 2026 LEGISLATURE

LRB-3299/1
KMS:cdc

2025 SENATE BILL 312

June 4, 2025 - Introduced by Senators NASS, WANGGAARD and QUINN, cosponsored by Representatives BRILL, MAXEY, GOEBEN, WICHGERS, PIWOWARCZYK, GUSTAFSON, STEFFEN, PENTERMAN, DUCHOW, NEDWESKI, CALLAHAN, MURPHY, DITTRICH, ALLEN and BEHNKE. Referred to Committee on Licensing, Regulatory Reform, State and Federal Affairs.

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

SECTION 1. 69.01 (1m) of the statutes is created to read:

69.01 **(1m)** "Biological sex" means the biological state of being female or male

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

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

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

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

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

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

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

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

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

SECTION 6. Initial applicability.

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

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

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

(END)