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## [LWVSC Testimony, S.162, Gender and Birth Certificates](#)

The first question we ask in reviewing S.162 is what problem is to be solved? What issue of importance to the State of South Carolina has been adversely affected by birth certificates that are changed to reflect the lived gender identity of the person to whom it refers? That problem would have to be truly compelling to justify the serious disruptions that would follow from refusing to allow birth certificate changes to persons who are transitioning.

As a foundation, there is a need for the State to come to terms at a very basic level with gender dysphoria and those who transition to a gender other than that on their birth certificates. This is not social transgression for the purpose of getting attention. This isn't about enjoying shocking others. Gender dysphoria is real and in transitioning people are expressing their identity publicly. What are we doing when we – not they – create a disparity between their lived identity and their legal identification?

Dictionaries tell us that "identity is "the fact of being who or what a person or thing is" and "identification" is "the act of recognizing and naming someone or something." The bill before you today would make it harder to accurately recognize and name those who have transitioned for who they are. Birth certificates underlie many other forms of identification, from DMV drivers' licenses and identification cards to U.S. State Department-issued passports.

The League of Women Voters is especially concerned about the potential to impair the right to vote. South Carolina requires that electors present photo ID at the time of voting, usually a DMV license or identification card. The potential for unwarranted challenges to legitimate electors is obvious if there is a disparity between the gender of record and the appearance of the person before the poll worker. However, the problems don't stop there. What of the presentation of that driver's license when stopped by the Highway Patrol? The legitimate interest of the state is that there be a clear and obvious visual and written connection between the actual driver of a vehicle and that license. What of passports? What sound legal purpose is addressed by creating a disparity between the appearance of a citizen of our nation and the document that is intended to identify them wherever they travel throughout the world?

Some South Carolinians do not recognize gender dysphoria as a legitimate condition or transitioning as expressive of a real identity. They have their opinions. However, those opinions should not be allowed to create a continuing problem for both those who have transitioned and for our state in fulfilling its responsibility to provide its people a useful means of identification. The League of Women Voters asks you to reject S.162.

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