



4 STATES CURRENTLY PURSUING STATE ERAs

1. MAINE PROPOSED ERA:

(New language in YELLOW)

Constitutional amendment. Resolved: Two thirds of each branch of the Legislature concurring, that the following amendment to the Constitution of Maine be proposed:

Constitution, Art. I, §26 is enacted to read:

Section 26. Equality of rights. Equality of rights under the law may not be denied or abridged by the State or any political subdivision of the State based on the actual or perceived race, color, religion, sex, sexual orientation, gender identity, gender expression, age, physical or mental disability, ancestry or national origin of an individual. The Legislature has the power to enforce this section by appropriate legislation.

Constitutional referendum procedure; form of question; effective date. Resolved: That the municipal officers of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, at a statewide election held in the month of November following the passage of this resolution, to vote upon the ratification of the amendment proposed in this resolution by voting upon the following question:

"Do you favor amending the Constitution of Maine to prohibit the denial or abridgment by the State or any political subdivision of the State of equal rights based on the actual or perceived race, color, religion, sex, sexual orientation, gender identity, gender expression, age, physical or mental disability, ancestry or national origin of an individual?"

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within the corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns. If it appears that a majority of the legal votes are cast in favor of the amendment, the Governor shall proclaim that fact without delay and the amendment becomes part of the Constitution of Maine on the date of the proclamation.

Secretary of State shall prepare ballots. Resolved: That the Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this resolution necessary to carry out the purposes of this referendum.

2. MINNESOTA PROPOSED ERA:

(GJ Attorney's Roundtable proposed amendment to SF37)

All persons shall be guaranteed equal rights under the laws of this state. The state shall not discriminate against any person in intent or effect on account of one or more of the following:

- (a) Race;
- (b) Color;
- (c) National origin;
- (d) Ancestry;
- (e) Disability; or
- (f) Sex, including but not limited to:
 - (i) Pregnancy, pregnancy outcomes, and reproductive freedom
 - (ii) Gender identity or gender expression
 - (iii) Sexual orientation

Any action by the state that denies an individual's equal rights shall be invalid unless, at a minimum, it is the least restrictive means of achieving a compelling governmental interest.

For purposes of this section, reproductive freedom means making and effectuating decisions about all matters relating to one's own pregnancy or decision whether to become pregnant including, but not limited to: prenatal care, miscarriage care, abortion care, childbirth, postpartum care, contraception, sterilization, infertility care, and lactation. For the purposes of this section gender identity and gender expression includes making and effectuating decisions about gender affirming care. For the purposes of this section, State means the state, any agency, and any political subdivision thereof.

This amendment is self-executing. This amendment does not limit or narrow existing rights in the Minnesota Constitution. Nothing in this section shall invalidate or prevent the adoption of any law, regulation, program, practice, or benefit designed to prevent or remedy discrimination on the basis of characteristics listed in this section.

Title: The Minnesota Equal Rights Amendment

Question: Shall the Minnesota Constitution be amended to say that all persons shall be guaranteed equal rights under the laws of the state, and that the state shall not discriminate against any person on account of race, color, national origin, ancestry,

disability, or sex, including pregnancy, pregnancy outcomes, reproductive freedom, gender identity, gender expression, and sexual orientation?

3. NEW YORK PROPOSED ERA:

(existing language in BLACK, new language in YELLOW, lined-thru is to be struck.)

Section 1. Resolved (~~if the Assembly concur~~), That section 11 of article 1 of the constitution be amended to read as follows:

§ 11. A. No person shall be denied the equal protection of the laws of this state or any subdivision thereof. No person shall, because of race, color, ETHNICITY, NATIONAL ORIGIN, AGE, DISABILITY, creed ~~{or}~~, religion, OR SEX, INCLUDING SEXUAL ORIENTATION, GENDER IDENTITY, GENDER EXPRESSION, PREGNANCY, PREGNANCY OUTCOMES, AND REPRODUCTIVE HEALTHCARE AND AUTONOMY, be subjected to any discrimination in ~~[his or her]~~ THEIR Civil rights by any other person or by any firm, corporation, or institution, or by the state or any agency or subdivision of the state, PURSUANT TO LAW.

B. NOTHING IN THIS SECTION SHALL INVALIDATE OR PREVENT THE ADOPTION OF ANY LAW, REGULATION, PROGRAM, OR PRACTICE THAT IS DESIGNED TO PREVENT OR DISMANTLE DISCRIMINATION ON THE BASIS OF A CHARACTERISTIC LISTED IN THIS SECTION, NOR SHALL ANY CHARACTERISTIC LISTED IN THIS SECTION BE INTERPRETED TO INTERFERE WITH, LIMIT, OR DENY THE CIVIL RIGHTS OF ANY PERSON BASED UPON ANY OTHER CHARACTERISTIC IDENTIFIED IN THIS SECTION.

§ 2. Resolved (~~if the Assembly concur~~), That the foregoing amendment be submitted to the people for approval at the general election to be held in the year 2024 in accordance with the provisions of the election law.

4. VERMONT PROPOSED ERA:

(Added language in YELLOW)

Sec. 1. PURPOSE

(a) This proposal would amend the Constitution of the State of Vermont to specify that the government must not deny equal treatment and respect under the law on account of a person's race, ethnicity, sex, disability, sexual orientation, gender identity, gender expression, or national origin. The Constitution is our founding legal document stating the overarching values of our society. This amendment is in keeping with the values espoused by the current Vermont Constitution. Chapter I, Article 1 declares "That all persons are born equally free and independent, and have certain natural, inherent, and unalienable rights." Chapter I, Article 7 states "That government is, or ought to be, instituted for the common benefit, protection, and security of the people." The core value reflected in Article 7 is that all people should be afforded all the benefits and protections bestowed by the government, and that the government should not confer special advantages upon the privileged. This amendment would expand upon the principles of equality and liberty by ensuring that the government does not create or perpetuate the

legal, social, or economic inferiority of any class of people. This proposed constitutional amendment is not intended to limit the scope of rights and protections afforded by any other provision in the Vermont Constitution.

(b) Providing for equality of rights as a fundamental principle in the Constitution would serve as a foundation for protecting the rights and dignity of historically marginalized populations and addressing existing inequalities. This amendment would reassert the broad principles of personal liberty and equality reflected in the Constitution of the State of Vermont with authoritative force, longevity, and symbolic importance.

Sec. 2. Article 7 of Chapter I of the Vermont Constitution is amended to read:

Article 7. [Government for the people; they may change it] That government is, or ought to be, instituted for the common benefit, protection, and security of the people, nation, or community, and not for the particular emolument or advantage of any single person, family, or set of persons, who are a part only of that community; that the government shall not deny equal treatment and respect under the law on account of a person's race, ethnicity, sex, disability, sexual orientation, gender identity, gender expression, or national origin; and that the community hath an indubitable, unalienable, and inalienable right, to reform or alter government, in such manner as shall be, by that community, judged most conducive to the public weal.

Sec. 3. EFFECTIVE DATE

The amendment set forth in Sec. 2 shall become a part of the Constitution of the State of Vermont on the first Tuesday after the first Monday of November 2026 when ratified and adopted by the people of this State in accordance with the provisions of 17 V.S.A. chapter 32.