

20105431D

SENATE JOINT RESOLUTION NO. 1

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Privileges and Elections
on January 9, 2020)

(Patrons Prior to Substitute—Senators McClellan and Locke and Saslaw [SJ 5])

Ratifying the Equal Rights Amendment to the Constitution of the United States.

WHEREAS, a concurrent or joint resolution is a resolution adopted by both houses of a bicameral legislature, which does not require the signature of the chief executive, and a concurrent or joint resolution is sufficient for a state's ratification of an amendment to the Constitution of the United States; and

WHEREAS, Article V of the Constitution of the United States provides that amendments "shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three fourths of the several states"; and

WHEREAS, over 80 percent of Virginians approve the ratification of the Equal Rights Amendment by the Virginia General Assembly; and

WHEREAS, Virginia has been pivotal to incorporating fundamental rights into the Constitution of the United States, as when Virginia's ratification of 10 amendments in 1791 established the Bill of Rights; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly of the Commonwealth of Virginia hereby ratify and affirm the Equal Rights Amendment to the Constitution of the United States proposed by the United States Congress on March 22, 1972, and ratified by 37 state legislatures. The complete text of House Joint Resolution 208 proposing the Equal Rights Amendment follows:

HOUSE JOINT RESOLUTION 208

Proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"Article—

"Section 1. Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.

"Section 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

"Section 3. This amendment shall take effect two years after the date of ratification."; and, be it

RESOLVED FURTHER, That the Clerk of the Senate transmit certified copies of this joint resolution to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, the members of the Virginia Congressional Delegation, and the Archivist of the United States at the National Archives and Records Administration of the United States.