



Senate

General Assembly

File No. 435

February Session, 2024

Senate Joint Resolution No. 4

Senate, April 11, 2024

The Committee on Government Administration and Elections reported through SEN. FLEXER of the 29th Dist., Chairperson of the Committee on the part of the Senate, that the joint resolution ought to be adopted.

RESOLUTION PROPOSING A STATE CONSTITUTIONAL AMENDMENT CONCERNING DISCRIMINATION ON THE BASIS OF SEX UNDER THE EQUAL PROTECTION CLAUSE.

Resolved by this Assembly:

1 Section 1. That the following be proposed as an amendment to the
2 Constitution of the State, which, when approved and adopted in the
3 manner provided by the Constitution, shall, to all intents and purposes,
4 become a part thereof:

5 Article twenty-first of the amendments to the Constitution is
6 amended to read as follows:

7 No person shall be denied the equal protection of the law nor be
8 subjected to segregation or discrimination in the exercise or enjoyment
9 of his or her civil or political rights because of religion, race, color,
10 ancestry, national origin, sex or physical or mental disability. As used in
11 this section, discrimination in the exercise or enjoyment of civil or
12 political rights because of sex includes, but is not limited to,

13 discrimination, in intent or effect, based on pregnancy, including
14 preventing, initiating, continuing or terminating a pregnancy; sexual
15 orientation; gender identity and expression; and related health care.

16 RESOLVED: That the foregoing proposed amendment to the
17 Constitution be continued to the next session of the General Assembly
18 elected at the general election to be held on November 5, 2024, and
19 published with the laws passed at the present session, or be presented
20 to the electors at the general election to be held on November 5, 2024,
21 whichever the case may be, according to article sixth of the amendments
22 to the Constitution. The designation of said proposed amendment to be
23 used on the ballots at such election shall be "Shall the Constitution of the
24 State be amended to amend the equal protection clause to provide that
25 discrimination on the basis of sex includes discrimination based on
26 pregnancy, sexual orientation and gender identity and expression?"

GAE *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 25 \$	FY 26 \$
Secretary of the State	GF - Cost	10,000	None

Note: GF=General Fund

Municipal Impact: None

Explanation

The resolution places a proposed amendment on the ballot during the November 2024 election resulting in a one-time cost of \$10,000 in FY 25. This cost is associated with rising printing costs.

The Out Years

The fiscal impact described above is one-time only and will conclude in FY 25.

OLR Bill Analysis**SJ 4****RESOLUTION PROPOSING A STATE CONSTITUTIONAL AMENDMENT CONCERNING DISCRIMINATION ON THE BASIS OF SEX UNDER THE EQUAL PROTECTION CLAUSE.****SUMMARY**

This resolution proposes amending an existing constitutional amendment that guarantees equal protection of the law and prohibits segregation or discrimination in the exercise or enjoyment of a person's civil or political rights because of sex (among other protected classes).

The amendment specifies that sex discrimination includes discrimination, in intent or effect, based on pregnancy, including preventing, initiating, continuing, or terminating a pregnancy; sexual orientation; gender identity and expression; and related health care.

The ballot designation to be used when the amendment is presented at the general election is: "Shall the Constitution of the State be amended to amend the equal protection clause to provide that discrimination on the basis of sex includes discrimination based on pregnancy, sexual orientation and gender identity and expression?"

EFFECTIVE DATE: If the resolution passes by at least three-fourths of the membership of each house of the General Assembly, it will be placed on the 2024 general election ballot. If it passes by a majority of the membership of each house but less than three-fourths, it will be referred to the 2025 session of the legislature. If it passes in that session by a majority of each house, it will appear on the 2026 general election ballot. If a majority of those voting on the amendment in the general election approves it, the amendment will become part of the state constitution.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable

Yea 12 Nay 6 (03/26/2024)