

House Resolution 1167

By: Representatives Mitchell of the 88th and Campbell of the 35th

A RESOLUTION

1 To ratify an amendment to the United States Constitution; and for other purposes.

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

6 WHEREAS, suffragist Alice Paul and others were imprisoned in the Commonwealth of
7 Virginia for seeking equal treatment under the law; and

8 WHEREAS, Alice Paul wrote the current form of the Equal Rights Amendment to reflect the
9 successful Nineteenth Amendment to the Constitution of the United States, which states:
10 "The right of citizens of the United States to vote shall not be denied or abridged by the
11 United States or by any State on account of sex"; and

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

15 WHEREAS, the founders of our nation did not include or favor further restrictions to the
16 amending procedure of Article V; and

17 WHEREAS, the Madison Amendment was proposed by our first Congress, not ratified by
18 three-fourths of the states until 1992, and certified as the Twenty-Seventh Amendment to the
19 Constitution of the United States 203 years after it was proposed, providing precedent of a
20 lengthy ratification period; and

21 WHEREAS, Nevada, Illinois, and Virginia ratified the Equal Rights Amendment on March
22 22, 2017, May 30, 2018, and January 27, 2020, respectively, thereby exercising those states'
23 rights to ratify a constitutional amendment under Article V of the Constitution of the United
24 States; and

25 WHEREAS, the restricting time limit for the Equal Rights Amendment ratification is in the
26 resolving clause and is not a part of the amendment proposed by Congress; and

27 WHEREAS, when Congress passed a time extension for the Equal Rights Amendment on
28 October 20, 1978, it demonstrated that a time limit in a resolving clause can be modified if
29 it is not a part of the proposed amendment; and

30 WHEREAS, no proposed amendment ratified in accordance with Article V of the
31 Constitution of the United States has been excluded from the Constitution; and

32 WHEREAS, constitutional equality for women and men continues to be a timely issue in the
33 United States and worldwide, and a number of other nations have achieved constitutional
34 equality for their women and men; and

35 WHEREAS, the State of Georgia has been pivotal to incorporating fundamental rights into
36 the Constitution of the United States; and

37 WHEREAS, the Congress of the United States has, under Article V of the Constitution of
38 the United States, proposed an amendment to said Constitution, in the words following, to
39 wit:

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

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

44 Section 3. This amendment shall take effect two years after the date of ratification."

45 NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF
46 GEORGIA that this body is urged to ratify and affirm the Equal Rights Amendment to the
47 Constitution of the United States proposed by the United States Congress on March 22, 1972,
48 and ratified by 38 state legislatures.

49 BE IT FURTHER RESOLVED that Georgia becomes the 39th State to ratify such
50 amendment.

51 BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded by the
52 Governor to the President of the United States, the Speaker of the United States House of
53 Representatives, the President of the United States Senate, the members of the Georgia
54 Congressional Delegation, and the Archivist of the United States at the National Archives
55 and Records Administration of the United States.