

Senate Resolution 480

By: Senator Rhett of the 33rd

A RESOLUTION

1 Ratifying a proposed 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 United States Constitution; 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, Ms. Paul wrote the current form of the Equal Rights Amendment to reflect the
9 successful 19th Amendment to the United States Constitution, which states, "The right of
10 citizens of the United States to vote shall not be denied or abridged by the United States or
11 by any state on account of sex"; and

12 WHEREAS, Article V of the United States Constitution provides that amendments "shall be
13 valid to all intents and purposes, as part of this Constitution, when ratified by the legislature
14 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 of the United States Constitution; 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 27th Amendment to the United
19 States Constitution 203 years after it was proposed, providing precedent of a lengthy
20 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 United States Constitution;
24 and

25 WHEREAS, the restricting time limit for ratification of the Equal Rights Amendment is in
26 the resolving clause and is not part of the amendment which was proposed by Congress and
27 which has already been ratified by 38 states; and

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

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

33 WHEREAS, constitutional equality for women and men continues to be a timely issue for
34 both the United States and internationally, and a number of other nations have achieved
35 constitutional equality for their citizens; and

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

38 WHEREAS, both houses of the 92nd Congress of the United States of America, by a
39 constitutional majority of two-thirds, adopted the following resolution proposing to amend
40 the United States Constitution:

41 RESOLVED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE
42 UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED (TWO-THIRDS OF
43 EACH HOUSE CONCURRING THEREIN), That the following article is proposed as
44 an amendment to the Constitution of the United States, which shall be valid to all intents
45 and purposes as part of the Constitution when ratified by the legislatures of three-fourths
46 of the several States within seven years from the date of its submission by the Congress:

47 ARTICLE ...

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

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

52 Section 3. This amendment shall take effect two years after the date of ratification; and

53 WHEREAS, a concurrent or joint resolution is sufficient for a state's ratification of an
54 amendment to Constitution of the United States; and

55 WHEREAS, the Equal Rights Amendment now meets the strict requirements of Article V
56 of the Constitution of the United States to be added as the 28th Amendment; and

57 WHEREAS, Georgia becomes the 39th state to ratify this amendment.

58 NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF
59 GEORGIA that the said Amendment to the Constitution of the United States is hereby
60 ratified and adopted.

61 BE IT FURTHER RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA that the
62 Administration of President Joseph R. Biden, Jr., is encouraged to publish without delay the
63 Equal Rights Amendment as the 28th Amendment to the Constitution of the United States.

64 BE IT FURTHER RESOLVED that the Clerk of the House of Representatives is authorized
65 and directed to make appropriate copies of this resolution available for distribution to the
66 President of the United States, the Speaker of the House of Representatives, the President of
67 the United States Senate, the members of the Georgia Congressional Delegation, and the
68 Archivist of the United States at the National Archives and Records Administration.