



1 Section 3. This Amendment shall take effect two years after the date of ratification";  
2 and

3 WHEREAS, the United States Congress adopted the Twenty-seventh Amendment  
4 to the Constitution of the United States, referred to as the Madison Amendment, relating to  
5 Compensation of Members of Congress which was proposed by the First Congress and  
6 ratified 203 years later by three-fourths of the States and certified by the United States  
7 Archivist as the Twenty-seventh Amendment on May 18, 1992; and

8 WHEREAS, the restricting time limit for the Equal Rights Amendment ratification  
9 is in the resolving clause and is not a part of the amendment proposed by congress and  
10 already ratified by thirty-seven states; and

11 WHEREAS, having passed a time extension for the Equal Rights Amendment on  
12 October 20, 1978, congress has demonstrated that a time limit in a resolving clause can be  
13 disregarded if it is not part of the proposed amendment; and

14 WHEREAS, the United States Supreme Court in *Coleman v. Miller*, 307 U.S. 433,  
15 (1939), recognized that congress is in a unique position to judge the tenor of the nation, to  
16 be aware of the political, social, and economic factors affecting the nation, and to be aware  
17 of the importance to the nation of the proposed amendment; and

18 WHEREAS, if an amendment to the Constitution of the United States has been  
19 proposed by two-thirds of both houses of congress and ratified by three-fourths of the state  
20 legislatures, it is for congress under the principles of *Coleman v. Miller* to determine the  
21 validity of the state ratifications occurring after a time limit in the resolving clause, but not  
22 in the amendment itself; and

23 WHEREAS, constitutional equality for women and men continues to be timely in the  
24 United States and worldwide, and a number of other nations have achieved constitutional  
25 equality for their women and men.

26 THEREFORE, BE IT RESOLVED by the House of Representatives of the Louisiana  
27 Legislature, the Senate thereof concurring, that the Legislature of the state of Louisiana does  
28 hereby ratify the foregoing proposed amendment to the Constitution of the United States of  
29 America.

1           THEREFORE, BE IT FURTHER RESOLVED that the Louisiana Legislature does  
2 hereby memorialize the United States Congress, if it deems necessary, to extend or eliminate  
3 the currently expired ratification time limit on the Equal Rights Amendment, and upon  
4 ratification by the requisite remaining number of states, add the amendment to the  
5 Constitution of the United States.

6           BE IT FURTHER RESOLVED that certified copies of this Resolution shall be  
7 forwarded to the administrator of General Services, Washington, D.C., and to the president  
8 of the Senate and the speaker of the House of Representatives of the Congress of the United  
9 States.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HCR 2 Original

2019 Regular Session

Robby Carter

Provides for ratification of proposed amendment to the Constitution of the U.S. stating:

- (1) Equality of rights under law shall not be denied or abridged by the U.S. or any state on account of sex.
- (2) Congress shall have power to enforce by appropriate legislation the provisions hereof.
- (3) This amendment shall take effect two years after the date of ratification.

Memorializes congress to extend or eliminate the ratification deadline, if it deems necessary, for the Equal Rights Amendment.