

ERA Ratification in the U.S. 2015



<http://www.peopledemandingaction.org/campaigns/equal-rights-amendment>

In 2015, the following states are introducing ratification legislation:

Virginia
Illinois
Florida
North Carolina
Arizona

Purple States = Ratified

Gold States = Unratified

"Certainly the Constitution does not require discrimination on the basis of sex. The only issue is whether it prohibits it. It doesn't."

- Supreme Court Justice Antonin Scalia 2010

ERA Resources/Contacts

State Level

<https://www.facebook.com/NC4ERA> - Marena Groll, Coordinator, NC4ERA. Supports both strategies.

<http://www.era-nc.org/> - Roberta Madden, Co-Director, Ratify ERA-NC. Supports three-state strategy.

National Level

www.equalrightsamendment.org - Roberta Francis, National Council Women's Organizations, Co-Chair ERA Task Force. Supports both strategies.

www.eracoalition.org - Jessica Neuwirth, President; Bettina Hager, Deputy Director. Supports both strategies.

www.peopledemandingaction.org/campaigns/equal-rights-amendment - Andrea Miller, Board Member; Tammy Simkins and Cathy Kaelin; ERA Action. Supports three-state strategy.

<http://eraeducationproject.com/> - Kamala Lopez, ERA Education Project, Women's Rights Advocate and Documentarian. Supports both strategies.

<http://thomas.loc.gov/home/thomas.php> - Thomas, Library of Congress. Locate bills.

<http://www.amazon.com/Equal-Means-Time-Rights-Amendment/dp/1620970392> - Equal Means Equal: Why The Time for an Equal Rights Amendment Is Now - Jessica Neuwirth, Founder Director, ERA Coalition and Donor Direct Action; Former Director New York Office of the United Nations High Commissioner for Human Rights.

A Woman's Civil Right to
Equal Constitutional Protection



Equal Rights Amendment

The Time
Is NOW

**NC FIGHTS THE
ROLLBACK OF
WOMEN'S RIGHTS**

"Every Constitution written since the end of World War II includes a provision that men and women are citizens of equal stature. Ours does not."

- Supreme Court Justice Ruth Bader Ginsburg

NC4ERA
nc4era@gmail.com
@NC4ERANOW

ERA

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.

Why ERA

The ERA is an important statement of principle.

The Constitution embodies the nation's core values. Equality between women and men is a fundamental human right that should be guaranteed in the Constitution.

Sex discrimination continues to limit equal opportunity and justice for women. Economic inequality, pregnancy discrimination, violence against women, and other forms of discrimination against women and girls are pervasive and leave women without effective legal recourse. State laws are not uniform and federal laws are not comprehensive. **Moreover, these laws can be, and in some cases have been, rolled back anytime.**

The Equal Protection Clause of the Constitution does not protect women from sex

discrimination. The Fourteenth Amendment provides equal protection of the law, but it has been interpreted to require state action and the intent to discriminate. Much discrimination occurs through private action and is not intentional, making intent hard to prove. The Supreme Court reviews sex discrimination claims using intermediate rather than strict scrutiny, a lower standard of review than for racial and religious discrimination claims.

<http://www.eracoalition.org/about.php>

Legal History

“The Equal Rights Amendment (ERA), written by suffragist leader Alice Paul, was first proposed and introduced in U.S Congress in 1923. Using the traditional process for amending the constitution, it was passed by Congress in 1972 and sent to the states with a seven-year deadline for ratification. Although Congress extended the deadline to June 30, 1982, the ERA received only **35 of the necessary 38 state ratifications**. NC is one of the 15 states that have not yet ratified the ERA. The amendment has been **reintroduced in every session of Congress** since that time.” - www.equalrightsamendment.org

Two Ratification Strategies

Traditional Strategy:

Traditional process outlined in [Article V of the Constitution](#), requiring passage by a two-thirds majority in the Senate and the House of Representatives, followed by ratification by legislatures in three-quarters (38) of the 50 states.

Three-state Strategy:

Ratification in 3 more of the [15 state legislatures](#) that did not ratify the ERA during the 1972-82 ratification campaign. Based on [legal analysis](#), when three more states vote yes, this non-traditional process could withstand legal challenge and put the ERA into the Constitution. The three- state strategy was developed after the 27th (“Madison”) Amendment, originally passed by Congress in 1789, was added to the Constitution in 1992. Some ERA supporters proposed that since a 203-year ratification period was acceptable for the Madison Amendment, the ERA’s ratification votes remain “sufficiently contemporaneous,” as required by the Supreme Court’s interpretation of the Constitution’s amendment process.

Current National Legislation

In the 113th US Congress, there were 2 sets of joint resolutions using both strategies to pass the ERA:

Traditional:

Senate Joint Resolution 10 (SJRes10)
Sen. Robert Menendez

House Joint Resolution 56 (HJRes56)
Rep. Carolyn Maloney

3-state, lift deadline:

Senate Joint Resolution 15 (SJRes15)
Sen. Ben Cardin

House Joint Resolution 113 (HJRes113)
Rep. Jackie Speier

In NC, legislators co-sponsoring bills were: Sen. Kay Hagan-SJRes 15; Rep. David Price- HJRes 56 and 113; Rep. G.K. Butterfield-HJRes 56.

Current NC State Legislation

Presently both NC4ERA and Ratify ERA-NC are working towards NC being one of the three states needed to ratify the ERA to amend the U.S. Constitution.

Primary legislative sponsors have been secured in the NC House and Senate. An ERA bill to ratify the amendment is expected to be introduced in the 2015 long session.

NC joins VA, IL, FL and AR as a state seeking to ratify the ERA in 2015.

For more information on the ERA in NC:

MARENA GROLL, NC4ERA

nc4era@gmail.com