SPONSOR: Rep. Longhurst & Sen. Hansen & Sen. Henry &
Sen. Townsend
Reps. Baumbach, Bennett, Bentz, Bolden, Brady, Heffernan, Hudson, Jaques, J. Johnson, Q. Johnson, Keeley, Kowalko, Lynn, Mulrooney, Osienski, Paradee, Potter, Ramone, Schwartzkopf, M. Smith, Viola, K. Williams; Sens. Bushweller, Cloutier, Ennis, Lopez, Marshall, McBride, McDowell, Poore, Sokola, Walsh

HOUSE OF REPRESENTATIVES
149th GENERAL ASSEMBLY

HOUSE BILL NO. 399
AS AMENDED BY
HOUSE AMENDMENT NO. 1
AND
SENATE AMENDMENT NO. 4

AN ACT PROPOSING AN AMENDMENT TO ARTICLE I OF THE DELAWARE CONSTITUTION RELATING TO EQUAL RIGHTS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Two-thirds of all members elected to each house thereof concurring therein):

Section 1. The General Assembly finds and declares all of the following:

(1) In 1972, Delaware was the third state in the United States to ratify the federal Equal Rights Amendment, which was not ratified by the requisite number of states to become an amendment to the United States Constitution.

(2) Delaware is the only state that ratified the federal Equal Rights Amendment, but did not also add such protections to its own Constitution.

(3) The purpose of an equal rights amendment to the Delaware Constitution is to declare that equality of rights shall not be denied or abridged in this State on account of sex.

(4) The equal rights amendment contained in this Act, and its placement within Delaware's Bill of Rights, means that the amendment applies to the State of Delaware and its political subdivisions, not private entities.

(5) A declaration of rights carries with it the promise that the State of Delaware will not impair a person's opportunity to exercise those rights; it does not require the State to fund the exercise of those rights.

(6) The equal rights amendment contained in this Act recognizes that there are circumstances when other compelling interests, such as privacy, may inform the State's decision to support permissible single sex services or programming.

HD : NSW : TEH : 1031490421
LC : HVW : JDW : 5971490295
Released: 06/07/2018 05:33 PM

Section 2. Amend Article I of the Delaware Constitution by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 21. Equal Rights.

Section 21. Equality of rights under the law shall not be denied or abridged on account of sex.