



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

3           "Section 2. The Congress shall have the power to enforce, by appropriate legislation,  
4 the provisions of this Article.

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

7           WHEREAS, the United States Congress accepted as valid the Twenty-seventh  
8 Amendment to the Constitution of the United States, referred to as the Madison Amendment,  
9 relating to Compensation of Members of Congress, 202 years from the date of its proposal  
10 by the First Congress and recently ratified by three-fourths of the states and certified by the  
11 United States Archivist as the Twenty-seventh Amendment on May 18, 1992; and

12           WHEREAS, the restricting time limit for the Equal Rights Amendment ratification  
13 is in the 1972 Congressional joint resolution's resolving clause and is not a part of the  
14 amendment proposed by Congress; and

15           WHEREAS, having passed a time extension for the Equal Rights Amendment on  
16 October 20, 1978, Congress has demonstrated that a time limit in a resolving clause can be  
17 adjusted or eliminated altogether if it is not part of the proposed amendment; and

18           WHEREAS, the United States Supreme Court in *Coleman v. Miller*, 307 U.S. 433,  
19 (1939), recognized that Congress is in a unique position to judge the tenor of the nation, to  
20 be aware of the political, social, and economic factors affecting the nation, and to be aware  
21 of the importance to the nation of the proposed amendment; and

22           WHEREAS, if an amendment to the Constitution of the United States has been  
23 proposed by two-thirds of both houses of Congress and ratified by three-fourths of the state  
24 legislatures, it is for Congress under the principles of *Coleman v. Miller* to determine the  
25 validity of the state ratifications occurring after the expiration of a time limit originally  
26 appearing in the 1972 Congressional joint resolution's resolving clause and not in the  
27 Proposed Equal Rights Amendment itself; and

28           WHEREAS, the Equal Rights Amendment has already been ratified by thirty-seven  
29 states, two of which ratified the amendment after the resolving clause ratification deadline  
30 had passed, Nevada on March 22, 2017 and Illinois on May 30, 2018; and

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

4           THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby  
5 ratify the foregoing proposed amendment to the Constitution of the United States of  
6 America.

7           BE IT FURTHER RESOLVED that the Louisiana Legislature does hereby  
8 memorialize the United States Congress, to remove or extend in perpetuity the ratification  
9 deadline stated in the 1972 Congressional joint resolution's resolving clause on the Equal  
10 Rights Amendment, if Congress deems this necessary in order for the Equal Rights  
11 Amendment to be added to the Constitution of the United States.

12           BE IT FURTHER RESOLVED that certified copies of this Resolution shall be  
13 forwarded by the Louisiana Secretary of State to the Archivist of the United States (pursuant  
14 to Public Law No. 98-497), to the President and Secretary of the United States Senate and  
15 to the Speaker and Clerk of the United States House of Representatives.

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by Leonore Heavey.

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#### DIGEST

SCR 2 Engrossed

2019 Regular Session

Morrell

Ratifies amendment to the U.S. Constitution providing for equal rights as follows:

- (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 remove or extend in perpetuity the ratification deadline stated in the 1972 Congressional joint resolution's resolving clause, but not in the amendment itself, if it deems necessary, for the Equal Rights Amendment to be added to the Constitution of the United States.

#### Summary of Amendments Adopted by Senate

##### Committee Amendments Proposed by Senate Committee on Senate and Governmental Affairs to the original bill

1. Makes technical changes to allow the resolution to comport to the Joint Resolution approved by the 92<sup>nd</sup> Congress on March 22, 1979.