

EDITH J. PATTERSON, ED.D.

Legislative District 28
Charles County

Ways and Means Committee

Subcommittees

Local Revenues

Chair, Racing and Gaming

Chair, Southern Maryland
House Delegation



The Maryland House of Delegates
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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

Testimony in Support
HJ001- Affirming the Federal Equal Rights Amendment
March 11, 2024

Good afternoon, Chair Healey, Vice Chair Holmes and members of the Rules and Executive Nominations Committee. For the record, I am Delegate Edith Patterson, sponsor of HJ0001 – the House Joint Resolution -Affirming the Federal Equal Rights Amendment.

This legislation urges the federal government to publish the Equal Rights Amendment (ERA) as the Twenty-eighth Amendment to the U.S. Constitution and urges the U.S. Congress to pass a joint resolution affirming the Equal Rights Amendment as the Twenty-eighth Amendment. This will guarantee women equal rights under the U.S. Constitution giving women the security of equality in pay, job opportunities, political structure, education, and health care, including reproductive health care.

The Equal Rights Amendment states "Equality of Rights under the law shall not be denied or abridged by the United States or by any state on account of sex." For over 100 years, courageous advocates have fought to enshrine these words into our constitution. The resolution before you today is one more chapter in that fight, and I hope you will join me and take a historic step together towards guaranteeing equality on the basis of sex for all.

Article V of the US constitution lays out 2 steps to make changes to its text: Congress proposes an amendment, and the states ratify it. Despite the requisite 3/4 of the states ratifying the ERA, the Federal Government has not recognized states' action, and has so far declined to finally certify and publish the ERA as the 28th Amendment to the US Constitution.

Unlike many other efforts to amend the constitution, the Equal Rights Amendment has achieved the necessary number of ratifying states-- thus, under the plain language of the constitution, it is fully ratified. 100 plus years since the language was first drafted, it is far past time for the federal government to respect states' co-equal powers in the Article V Constitutional amendment process as ratifiers. The principles of federalism central our country's governance demand this; and the rights and protections at stake that will be guaranteed by the ERA are too important for inaction.

In response to federal inaction, many states have passed resolutions urging the federal government to certify and publish the ERA as the 28th Amendment. Senator Kelly and I introduced Joint Resolution HJ1/SJ1 which models the ERA-affirming language passed in other states— and does a bit more.

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SJ1/HJ1 makes it clear that Maryland, as state that's ratified the ERA, views the ERA as the 28th amendment now that it has crossed the constitutional threshold. Our resolution also says that in Maryland, we know that sex-based discrimination takes many harmful forms and that sex-based protections must be broad and expansive to protect us from that harm. This resolution also has historical precedent-- the General Assembly passed a resolution in the 1960s urging Congress to propose the ERA to the states for ratification, and we are continuing in that tradition of asking Congress to act with urgency. With this resolution, Maryland expects the federal government to respect our co-equal role in the Article V process and finally recognize ratification, and it calls on other states to take similar action.

SJ0001 passed out of the Senate Judicial Proceedings Committee with bi-partisan support. I hope the House will do the same and take this historic step towards finally enshrining in our Constitution the principle that "Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex." I respectfully urge you to give this resolution a favorable report.

Thank you for your consideration,
Edith Patterson