

BILL NO: House Joint 1
TITLE: Affirming the Federal Equal Rights Amendment
COMMITTEE: Rules and Executive Nominations
HEARING DATE: March 11, 2024
POSITION: **SUPPORT**

The Women's Law Center supports HJ1, the ERA affirming resolution which makes a clear statement that the states affirm the validity of the ERA and urges Congress and the Biden administration to do so. Certifying and publishing the ERA so it is a part of the U.S. Constitution is urgent considering the Supreme Court decision *Dobbs v. Jackson Women's Health Organization*, 597 U.S. ___ (2022) overturning *Roe v. Wade*, 410 U.S. 113 (1973).

It is imperative that the Constitution explicitly state that that women and people across the gender spectrum are equal to men, and to affirm that gender-based discrimination is unconstitutional. This is especially important now considering recent attacks on women's rights and the rights of members of the LGBTQ+ community. The ERA has enormous support among democratic and republican voters. The concept of equal rights for all people should not be debatable. Enshrining this in our Constitution will guarantee that all our citizens have equal protection under the law.

The ERA was introduced in Congress over 100 years ago. The amendment would provide a fundamental constitutional remedy against sex discrimination by guaranteeing that legal rights may not be denied or diminished based on sex. The sex and or sexual orientation of an individual would be considered a suspect classification for constitutional analysis. Any governmental actions that treat men and women differently would be subject to strict judicial scrutiny.

The Women's Law Center of Maryland believes that the ERA affirming resolution is vital to protecting the rights of all citizens regardless of their sex, sexual orientation, or gender identity. Therefore, we urge a favorable report on HJ 1.

The Women's Law Center of Maryland is a non-profit legal services organization whose mission is to ensure the physical safety, economic security, and bodily autonomy of women in Maryland. Our mission is advanced through direct legal services, information and referral hotlines, and statewide advocacy.