

CANDACE McLAREN LANHAM  
*Chief Deputy Attorney General*

CAROLYN A. QUATTROCKI  
*Deputy Attorney General*

LEONARD HOWIE  
*Deputy Attorney General*



**ANTHONY G. BROWN**  
*Attorney General*

CHRISTIAN E. BARRERA  
*Chief Operating Officer*

ZENITA WICKHAM HURLEY  
*Chief, Equity, Policy, and Engagement*

PETER V. BERNS  
*General Counsel*

STATE OF MARYLAND  
**OFFICE OF THE ATTORNEY GENERAL**

FACSIMILE NO.  
(410) 576-7036

WRITER'S DIRECT DIAL NO  
(410) 576-6588

February 21, 2024

TO: The Honorable Will Smith, Jr.  
Chair, Judicial Proceedings Committee

FROM: Adam Spangler  
Legislative Aide, Legislative Affairs, Office of the Attorney General

RE: Senate Joint Resolution 1 - Affirming the Federal Equal Rights Amendment  
- **Support**

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The Office of the Attorney General urges the Judicial Proceedings Committee to report Senator Ariana Kelly's Senate Joint Resolution 1 - Affirming the Federal Equal Rights Amendment favorably. Senate Joint Resolution 1 (SJ1) would urge the President Biden Administration to publish the federal Equal Rights Amendment as the 28th Amendment to the U.S. Constitution. SJ1 would urge the U.S. Congress to affirm the Equal Rights Amendment as the 28th Amendment.

The Office of the Attorney General believes that there should be no time limit on equality. Throughout his time in Congress, Attorney General Brown has co-sponsored House Resolutions that sought to reaffirm and remove the deadline for the passage of the Equal Rights Amendment (ERA) enshrining it as the 28<sup>th</sup> Amendment of the Constitution.<sup>1</sup> The ERA would enshrine women's equality in the Constitution by mandating that "equality of rights under the

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<sup>1</sup> Anthony G. Brown (2024), <https://www.congress.gov/member/anthony-brown/B001304>.

law shall not be denied or abridged by the United States or by any state on account of sex.”<sup>2</sup> Currently, the only right explicitly guaranteed regardless of sex in the U.S. Constitution is the 19th Amendment right to vote. Passage of the ERA would create a new tool to advance equality in the fields of employment and pay, pregnancy discrimination, sexual harassment, violence, reproductive autonomy, and protections for LGBTQ+ individuals.

Every American deserves a fair and equal opportunity to thrive and provide for themselves and their families. Inequality is unacceptable, harmful and runs counter to our values as a country. Passage of SJ1 affirms the Maryland General Assembly’s belief in equal rights for all.

For the foregoing reasons, the Office of the Attorney General urges a favorable report on SJ1.

cc: Senator Ariana B. Kelly  
Judicial Proceedings Committee Members

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<sup>2</sup> Text - H.J.Res.82 - 118th Congress (2023-2024): Expressing the sense of Congress that the article of amendment commonly known as the "Equal Rights Amendment" has been validly ratified and is enforceable as the Twenty-Eighth Amendment to the United States Constitution, and the Archivist of the United States must certify and publish the Equal Rights Amendment as the Twenty-Eighth Amendment without delay, H.J.Res.82, 118th Cong. (2023), <https://www.congress.gov/bill/118th-congress/house-joint-resolution/82/text>.