

**FY 2021 NEW YORK STATE EXECUTIVE BUDGET**

**EQUAL RIGHTS AMENDMENT  
CONCURRENT RESOLUTION**

**MEMORANDUM IN SUPPORT**

## MEMORANDUM IN SUPPORT

A BUDGET BILL submitted by the Governor in  
Accordance with Article VII of the Constitution

### CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendments to section 11 of  
article 1 of the constitution, in relation to  
equality of rights and protection against  
discrimination

#### Purpose:

This concurrent resolution would amend the equal protection clause of the State Constitution to add additional protected classes.

#### Summary of Provisions and Statement in Support:

As it was first adopted in 1938, section 11 of Article 1 of the State Constitution prohibits discrimination based solely on race, color, creed or religion. Enactment of this proposal would match the State's commitment to equality by broadening protections against discrimination on the basis of sex, sexual orientation, gender identity, ethnicity, national origin, age, and disability.

#### Budget Implications:

Enactment of this concurrent resolution is necessary to implement the FY 2021 Executive Budget, because agency operations for the Division of Human Rights are dependent upon a clear definition of protected classes.

#### Effective Date:

This concurrent resolution becomes effective following passage by the Legislature over two successive legislative sessions, upon approval by voters.