



NEW YORK STATE SENATOR
Anna M. Kaplan

Senator Anna Kaplan Helps Advance Equal Rights Amendment in New York State Senate

SENATOR ANNA M. KAPLAN July 1, 2022

| ISSUE: **ABORTION, REPRODUCTIVE RIGHTS, EQUAL RIGHTS AMENDMENT, EQUAL RIGHTS, MARRIAGE EQUALITY**



***Resolution** that passed today is the first step in the process of amending the New York State Constitution*

Resolution co-sponsored by Senator Kaplan will codify the right to an abortion and the right to contraception in the State Constitution, in addition to protecting New Yorkers from various forms of discrimination, and protecting from future action by the Supreme Court dismantling rights for LGBTQ+ people

CARLE PLACE, NY (JULY 1, 2022) - Today, the **New York State Senate** advanced the first passage of an amendment, [S.51002](#), to codify the right to an abortion and the right to contraception in the State Constitution. **New York State Senator Anna M. Kaplan** (D-North Hills) co-sponsored the amendment, and forcefully advocated for its passage in the wake of the Supreme Court's reckless decision to overturn *Roe V. Wade* and simultaneously endanger the rights of LGBTQ+ people. The resolution expands equal protection under the law to several new identity classes, including on the basis of ethnicity, national origin, age, disability and sex. Sex includes sexual orientation, gender identity, gender expression, pregnancy, pregnancy outcomes, reproductive healthcare and autonomy.

Today's effort follows [recent action by Senator Kaplan](#) to protect and strengthen reproductive healthcare rights and access in the State of New York in response to attacks on reproductive freedom by the Supreme Court.

"At a time when the Supreme Court is jeopardizing rights for so many New Yorkers, we need to protect those rights by enshrining them in our State Constitution. The ERA will protect New Yorkers from discrimination, and it will ensure that abortion and reproductive healthcare access are protected no matter what," said **Senator Anna M. Kaplan**. "We're not going back, and we're going to do everything it takes to protect women in New York. I'm proud to be a co-sponsor of the Equal Rights Amendment, and I'm grateful for the leadership of Governor Hochul and Majority Leader Andrea Stewart-Cousins in bringing this vital legislation to the floor for a vote today."

In a concurring decision on the case that ultimately overturned *Roe V. Wade*, Justice Clarence Thomas stated that the Supreme Court "should reconsider" its past rulings codifying rights to contraception access, same-sex relationships, and same-sex marriage, indicating that the ultra-conservative majority on the Court could soon take action to undo important rights and protections for LGBTQ+ Americans. The amendment advanced today would protect the rights of LGBTQ+ people in New York State should such a regressive future action be taken by the Supreme Court.

Senator Kaplan added "the Supreme Court has been on a reckless spree of extreme and dangerous rulings that are wildly out of step with the nation, and there's no telling whose rights they might attack next. The ERA will protect LGBTQ+ New Yorkers in the event of another radical decision by the Court, and I'll continue to do whatever it takes to protect LGBTQ+ families in New York State against the rising tide of homophobia and transphobia."

The amendment advanced today, [S.51002](#),

- **Expands protected classes under the equal rights amendment.** The resolution expands equal protection under the law to several new identity classes, including on the basis of ethnicity, national origin, age, disability and sex. Sex includes sexual orientation, gender identity, gender expression, pregnancy, pregnancy outcomes, reproductive healthcare and autonomy.
- **Guarantees a constitutional right to reproductive healthcare** for any individual in the state of New York.
- **Protects marriage equality** and other rights that the Supreme Court has endangered.
- **Preserves laws designed to prevent or dismantle discrimination** on the basis of these characteristics, such as affirmative action.

In order to amend the New York State Constitution, a resolution must be passed by two successive legislatures, and supported by a majority of voters in a public referendum. Today's action is the first passage, and the earliest a referendum could come to a vote would be November 2023.

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RELATED LEGISLATION

2021-S51002

-
- Introduced
 - - In Committee Assembly
 - In Committee Senate

- ○ On Floor Calendar Assembly
 - On Floor Calendar Senate

- ○ Passed Assembly
 - Passed Senate

- Delivered to Governor
- Signed By Governor
-

Relates to equal protection

July 01, 2022

Passed Assembly

Sponsored by **Andrea Stewart-Cousins**

Do you support this bill?