

FY 2019 NEW YORK STATE EXECUTIVE BUDGET

**ADD "SEX" AS A PROTECTED CLASS
CONCURRENT RESOLUTION**

MEMORANDUM IN SUPPORT

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

CONCURRENT RESOLUTION
OF THE SENATE AND ASSEMBLY

proposing an amendment to section 11 of article
1 of the constitution, in relation to equal
protection of laws

Purpose:

This proposal would amend the equal protection clause of the State Constitution to add "sex" as a protected class.

Summary of Provisions and Statement in Support:

Nearly a century after it was first proposed, New York State has yet to pass a constitutional amendment to protect against discrimination on the basis of sex. Currently, Section 11 of Article 1 of the State Constitution prohibits discrimination based solely on race, color, creed or religion. By enacting this proposal, New Yorkers would be guaranteed equal rights under the law regardless of their sex.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2019 Executive Budget as agency operations for the Division of Human Rights are dependent upon a clear definition of protected classes.

Effective Date:

This bill would take effect immediately.