

1 TO THE HONORABLE SENATE:

2 The Committee on Judiciary to which was referred a proposed amendment
3 to the Constitution of the State of Vermont entitled “Proposal 4” respectfully
4 reports that it has considered the same and recommends that the proposal be
5 amended by striking out the proposal in its entirety and inserting in lieu thereof
6 the following:

7 PROPOSAL 4

8 Sec. 1. PURPOSE

9 (a) This proposal would amend the Constitution of the State of Vermont to
10 specify that the government must not deny equal treatment and respect under
11 the law on account of a person’s race, ethnicity, sex, religion, disability, sexual
12 orientation, gender identity, gender expression, or national origin. The
13 Constitution is our founding legal document stating the overarching values of
14 our society. This amendment is in keeping with the values espoused by the
15 current Vermont Constitution. Chapter I, Article 1 declares “That all persons
16 are born equally free and independent, and have certain natural, inherent, and
17 unalienable rights.” Chapter I, Article 7 states “That government is, or ought
18 to be, instituted for the common benefit, protection, and security of the
19 people.” The core value reflected in Article 7 is that all people should be
20 afforded all the benefits and protections bestowed by the government, and that
21 the government should not confer special advantages upon the privileged. This

1 amendment would expand upon the principles of equality and liberty by
2 ensuring that the government does not create or perpetuate the legal, social, or
3 economic inferiority of any class of people. This proposed constitutional
4 amendment is not intended to limit the scope of rights and protections afforded
5 by any other provision in the Vermont Constitution.

6 (b) Providing for equality of rights as a fundamental principle in the
7 Constitution would serve as a foundation for protecting the rights and dignity
8 of historically marginalized populations and addressing existing inequalities.
9 This amendment would reassert the broad principles of personal liberty and
10 equality reflected in the Constitution of the State of Vermont with authoritative
11 force, longevity, and symbolic importance.

12 Sec. 2. Article 23 of Chapter I of the Vermont Constitution is added to read:

13 Article 23. [Equality of rights]

14 That the people are guaranteed equal protection under the law. The State shall
15 not deny equal treatment and respect under the law on account of a person's
16 race, ethnicity, sex, religion, disability, sexual orientation, gender identity,
17 gender expression, or national origin. Nothing in this Article shall be
18 interpreted or applied to prevent the adoption or implementation of measures
19 intended to provide equality of treatment and opportunity for members of
20 groups that have historically been subject to discrimination.

21

1 Sec. 3. EFFECTIVE DATE

2 The amendment set forth in Sec. 2 shall become a part of the Constitution of
3 the State of Vermont on the first Tuesday after the first Monday of November
4 2026 when ratified and adopted by the people of this State in accordance with
5 the provisions of 17 V.S.A. chapter 32.

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8 (Committee vote: _____)

9

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Senator _____

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FOR THE COMMITTEE