

NEW YORK PROPOSAL 1

Proposal One (“Prop 1”) – a statewide ballot proposal – would amend Section 11 of Article 1 of the New York Constitution.

Currently, the New York Constitution prohibits discrimination on the basis of race, color, creed, or religion.

Current Constitutional Language

[Equal protection of laws; discrimination in civil rights prohibited] §11. No person shall be denied the equal protection of the laws of this state or any subdivision thereof. No person shall, because of race, color, creed or religion, be subjected to any discrimination in his or her civil rights by any other person or by any firm, corporation, or institution, or by the state or any agency or subdivision of the state. (New. Adopted by Constitutional Convention of 1938 and approved by vote of the people November 8, 1938; amended by vote of the people November 6, 2001.)

This amendment would amend the Constitution to also prohibit discrimination on the basis of ethnicity, national origin, age, disability, or sex, including sexual orientation, gender identity, gender expression, pregnancy, pregnancy outcomes, and reproductive healthcare and autonomy.

Proposed Amendment Language

[Equal protection of laws; discrimination in civil rights prohibited] §11. a. No person shall be denied the equal protection of the laws of this state or any subdivision thereof. No person shall, because of race, color, ethnicity, national origin, age, disability, creed, religion, or sex, including sexual orientation, gender identity, gender expression, pregnancy, pregnancy outcomes, and reproductive healthcare and autonomy, be subjected to any discrimination in their civil rights by any other person or by any firm, corporation, or institution, or by the state or any agency or subdivision of the state, pursuant to law.

b. Nothing in this this section shall invalidate or prevent the adoption of any law, regulation, program, or practice that is designed to prevent or dismantle discrimination on the basis of a characteristic listed in this section, nor shall any characteristic listed in this section be interpreted to interfere with, limit, or deny the civil rights of any person based upon any other characteristic identified in this section.

Prop 1 can be found, along with other local proposals, if any, on the back of the ballot. The [ballot language](#) will read as follows:

Amendment to Protect Against Unequal Treatment

This proposal would protect against unequal treatment based on ethnicity, national origin, age, disability, and sex, including sexual orientation, gender identity and pregnancy. It also protects against unequal treatment based on reproductive healthcare and autonomy.

A “YES” vote puts these protections in the New York State Constitution.

A “NO” vote leaves these protections out of the State Constitution.