General Assembly

House Joint Resolution No. 37

January Session, 2023

LCO No. **3910**

Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

RESOLUTION PROPOSING AN AMENDMENT TO THE STATE CONSTITUTION TO PROVIDE FOR AN ENVIRONMENTAL RIGHTS AMENDMENT.

Resolved by this Assembly:

Section 1. That the following be proposed as an amendment to the Constitution of the State, which, when approved and adopted in the manner provided by the Constitution, shall, to all intents and purposes, become a part thereof:

Article first of the Constitution is amended by adding section 21 as follows:

Sec. 21. Each person shall have an individual right to clean and healthy air, water, soil and environment, a stable climate and self-sustaining ecosystems for the benefit of public health, safety and the general welfare. The state shall not infringe upon these rights. The state shall protect these rights equitably for all people regardless of race, ethnicity, tribal membership status, gender, socioeconomics or geography. The state, municipalities and any political subdivision thereof, shall serve as trustee of the natural resources of the state, among

them being its waters, air, flora, fauna, soils, and climate; and shall conserve, protect, and maintain these resources for the benefit of all people, including present and future generations. The rights stated in this section are inherent, inalienable, and indefeasible, are among those rights reserved to the people, and are equivalent with all other inalienable rights.

RESOLVED: That the foregoing proposed amendment to the Constitution be continued to the next session of the General Assembly elected at the general election to be held on November 5, 2024, and published with the laws passed at the present session, or be presented to the electors at the general election to be held on November 5, 2024, whichever the case may be, according to article sixth of the amendments to the Constitution. The designation of said proposed amendment to be used on the ballots at such election shall be "Shall the Constitution of the State be amended to provide each citizen an individual right to clean and healthy air, water, soil and environment, a stable climate; and self-sustaining ecosystems for the benefit of public health, safety and the general welfare?"