

## **How do I vote for constitutional equality in Nevada this year?**

Vote **YES** on Ballot Question 1!

### **What is Ballot Question 1?**

Ballot Question 1 is on the statewide ballot this year — and it's appropriate that it's #1 because it's a #1 priority for Nevadans who care about equal rights!

The Nevada Equal Rights Amendment (ERA) Ballot Question 1 changes the Nevada Constitution to be more inclusive.

Ballot Question 1 reads as follows: *Shall the Nevada Constitution be amended by adding a specific guarantee that equality of rights under the law shall not be denied or abridged by this State or any of its cities, counties, or other political subdivisions on account of race, color, creed, sex, sexual orientation, gender identity or expression, age, disability, ancestry, or national origin?*

A YES vote on Ballot Question 1 means the Nevada Constitution will prohibit denying rights on account of any Nevadan's race, color, creed, sex, sexual orientation, gender identity or expression, age, disability, ancestry or national origin.

The Nevada ERA is the most inclusive ERA in the country. It's even more expansive than the proposed federal ERA.

### **Aren't these things already protected under the Nevada constitution?**

Unfortunately, **no**. Our Nevada state constitution does not clearly prohibit discrimination against groups that have been historically targeted, including those who experience race-based discrimination, gender discrimination, discrimination on the basis of sexual orientation and gender identity or expression, age discrimination, and inequitable treatment of disabled Nevadans and Nevada's immigrant communities.

### **What will the Nevada ERA do for me? Why should I vote "YES" on Ballot Question 1?**

Anyone who experiences discrimination will be protected by the full extent of the law. The ERA will prohibit discrimination by the government based on a person's race, color, creed, sex, sexual orientation, gender identity or expression, age, disability, ancestry or national origin. It will be easier to protect yourself in court if you are discriminated against and harder for institutions to discriminate against you. This will impact many things including:

- Pay equity
- Abortion access and reproductive autonomy

- Race-based discrimination, including discrimination on the basis of hair texture and protective styles
- Discrimination against the elderly and other forms of ageism
- Protection for LGBTQIA+ community and marriage equality
- Protecting Trans kids and teens
- Much more!

Winning Ballot Question 1 will put permanent protections for people like you into the Nevada constitution. It will be a real victory for racial justice, gender equity, LGBTQIA+ equality, immigrant and disability rights, and for everyone who truly believes in equality. Ballot Question 1 will put all of those rights, permanently, into the Nevada State Constitution.

### **How do we add the ERA to the Nevada constitution?**

The Nevada legislature has already voted for the ERA in two separate legislative sessions, and that's why it'll be on the ballot this year. We are at the last step now—if we as voters approve Ballot Question 1 in November, the ERA will be added to the Nevada constitution and millions of Nevadans will gain permanent protections against discrimination.

### **Do other states have state-level ERAs? Do we know what will happen?**

**Yes.** Currently 26 other states already have state-level ERAs, so Nevada is just getting what the majority of states already have. In recent years many states have seen the need to add these protections to their state constitutions: Florida and Iowa (1998), Nebraska (2008), Oregon (2014), Indiana (2018), and Delaware (2019). In the last two years, state ERA measures have passed in at least one house in New York, Main, Minnesota and Vermont. The earliest state-level ERA in the country is from California in 1879. Utah's state ERA was put in their original constitution in 1896—so, it's been around for 126 years. This is nothing new.

### **Will Ballot Question 1 impact abortion access?**

**Yes.** Passing the Nevada ERA will protect abortion access. Other states, including our [neighboring state Utah](#), have used their state-level ERAs to strike down abortion bans, even after the recent *Dobbs* decision overturned *Roe v. Wade*. This is a very positive change that will help permanently protect this basic human right in Nevada.

### **Does Ballot Question 1 mean we will all have to use the same bathroom?**

**No.** Existing privacy rights will continue to protect appropriate separation of facilities for performing intimate bodily functions.

And, as we all know, there are already many public places where it is already commonplace to have universal restroom facilities (airplanes, restaurants, hotels, casinos, private homes, etc.) without issue.

**Will passing Ballot Question 1 make women and other groups lose rights and extra protections they have now?**

**No.** Most government benefits are gender neutral and all Nevadans have access to them. Helping marginalized groups succeed with targeted programs, like support for women-owned businesses, will still be permissible. Even with the ERA in place, there will still be specialized programs to assist marginalized groups.

The ERA will actually make it easier to ensure that supportive programs continue to foster equity all across our state.

**Will this provide protections for transgender Nevadans?**

**Yes.** The Nevada ERA explicitly protects Nevadans from discrimination on the basis of both “gender identity or expression.”

In regards to participation of transgender athletes, many collegiate and professional associations *already* have trans inclusive policies. For example, the NCAA released a [transgender inclusion handbook](#) back in 2011 and those rules are still followed today. Including trans athletes [benefits everyone](#), including trans kids.

**Will my daughter lose her girls-only sports team?**

**No.** As we have already experienced with Title IX, all-male and all-female sports teams **will not** be eliminated. Title IX requires that men and women’s programs receive the same levels of service, facilities, supplies, etc. Male and female programs may continue to exist and differ as long as the differences are justifiable. Teams should continue to be inclusive of Trans kids and athletes at all levels, as gender identity and expression are both protected under the Nevada ERA.

**Doesn’t Ballot Question 1 go “too far”?**

**No.** In fact, putting the Equal Rights Amendment into the Nevada Constitution helps fix a foundational mistake made in 1864 when many groups were left out of the original drafting of our Constitution. It helps provide a foundation to eliminate inequality in our state, and is long overdue. As Nevadans, we must unite in the duty we share of protecting human and civil rights for all of us and this is a vital next step.