State of Wisconsin
2025 - 2026 LEGISLATURE

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2025 ASSEMBLY JOINT RESOLUTION 108

October 24, 2025 - Introduced by Representatives BROWN, PALMERI, SNODGRASS, SUBECK, MCGUIRE, ANDERSON, ANDRACA, ARNEY, BARE, CLANCY, CRUZ, DESMIDT, EMERSON, FITZGERALD, HYSELL, HONG, JOERS, JOHNSON, KIRSCH, MADISON, MAYADEV, MCCARVILLE, MIRESSE, MOORE OMOKUNDE, NEUBAUER, PHELPS, PRADO, RIVERA-WAGNER, ROE, SHEEHAN, SINICKI, SPAUDE, STROUD, STUBBS, TAYLOR, TENORIO, UDELL and VINING, cosponsored by Senators L. JOHNSON, CARPENTER, DASSLER-ALFHEIM, DRAKE, HABUSH SINYKIN, LARSON, RATCLIFF, ROYS, SPREITZER, WALL, WIRCH and KEYESKI. Referred to Committee on State Affairs.

AUTHORS SUBJECT TO CHANGE

To create section 27 of article I of the constitution; **relating to:** equality of rights on the basis of sex, gender identity, race, color, sexual orientation, disability, religion, national origin, marital status, family status, age, ancestry, or any other immutable characteristic and creating a private cause of action for violations of those rights by state actors (first consideration).

Analysis by the Legislative Reference Bureau

This constitutional amendment, proposed to the 2025 legislature on first consideration, provides that equality of rights under the law shall not be denied or abridged by the state or by any political subdivision of the state on account of sex, gender identity, race, color, sexual orientation, disability, religion, national origin, marital status, family status, age, ancestry, or any other immutable characteristic. The constitutional amendment requires the state and each political subdivision to protect and secure the equality of these rights and creates a private cause of action against the state or the appropriate political subdivision of the state for violations of the rights guaranteed under the amendment.

A constitutional amendment requires adoption by two successive legislatures, and ratification by the people, before it can become effective.

Resolved by the assembly, the senate concurring, That:

SECTION 1. Section 27 of article I of the constitution is created to read:

[Article I] Section 27 (1) Equality of rights under the law shall not be denied or abridged by the state or by any political subdivision of the state on account of sex, gender identity, race, color, sexual orientation, disability, religion, national origin, marital status, family status, age, ancestry, or any other immutable characteristic.

(2) Any person aggrieved by a violation of sub. (1) shall have a private cause of action in any court of competent jurisdiction against the state or the appropriate political subdivision of the state.

(3) The state and each political subdivision of the state shall protect and secure the equality of rights guaranteed by this section.

SECTION 2. Numbering of new provisions. If another constitutional amendment ratified by the people creates the number of any provision created in this joint resolution, the chief of the legislative reference bureau shall determine the sequencing and the numbering of the provisions whose numbers conflict.

Be it further resolved, That this proposed amendment be referred to the legislature to be chosen at the next general election and that it be published for three months previous to the time of holding such election.

(END)