

Environmental

Advocates

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Environmental Rights for New York

What is the Environmental Rights amendment?

The Environmental Rights amendment is a simple 15-word addition to the Bill of Rights of the New York State Constitution stating “*Each person shall have a right to clean air and water, and a healthful environment.*”

The current New York Bill of Rights contains many of our most sacred civil liberties but nowhere is there a right to a clean and healthy environment. The inclusion of Environmental Rights would provide the same fundamental protections that we provide to our rights to free speech, freedom of religion, due process and property. Recognizing these environmental rights as constitutional rights for all New Yorkers, ensures an important and foundational legal framework exists to sustain healthy lives and economies for current and future generations.

What impact would an Environmental Rights amendment have?

Adding Environmental Rights is first a value statement that declares a basic truth that every New Yorker – regardless of the color of their skin, where they live, or how much money they have – has the right to clean air and clean water and a healthy environment. It sends a clear message about our collective values and priorities that these rights are on par with other fundamental freedoms like the right to free speech and freedom of religion.

But what is more, this amendment is not just symbolic, but an actionable right. Its inclusion in the State Constitution would provide procedural and substantive safeguards by requiring the government to consider the impacts on human health and the environment early on in its decision-making processes when preventing pollution, degradation and environmental harm is most possible. When the government fails to protect these environmental rights reserved onto the people of New York, this amendment can be used by the community, government and business interests to be protected against government infringement.

What is the process for enacting Environmental Rights?

An amendment to the New York State Constitution is a multi-year process, first requiring the New York Legislature to pass a bill supporting the constitutional amendment in two consequently elected legislatures and then put to voters on a statewide referendum for New Yorkers to ultimately decide. New York’s Environmental Rights amendment bill passed the New York Legislature in 2019 (first passage) and again in 2021 (second passage). The question on whether the State Constitution should be amended to include a right to clear air, clear water, and a healthy environment will now appear on the ballot in November 2021.

How can I get involved?

The State of New York is facing a historic opportunity – the passage of a constitutional amendment that will recognize the right to clean water, clean air and a healthful environment. New Yorkers will be presented with an opportunity in November 2021 to vote YES on a ballot measure to enshrine these rights as part of our state’s constitutional Bill of Rights.

Add your name to [our petition](#) in support of Environmental Rights - and join [our Facebook group](#).

Want to get involved in this campaign where you live, contact Joshua Cohen, Director of Campaigns, at jcohen@eany.org for more details.