



Overview

Green Amendments (often called “environmental rights amendments”) are self-executing provisions [added to the bill of rights](#) of a state’s constitution. They aim to put environmental health and safety on par with our other civil liberties.

These amendments would provide general, legally defensible expectations as to what constitutes a healthy environment for citizens. Most notable are individuals’ rights to clean air, water, and a stable climate. The concept of state Green Amendments has been spreading since lawyer and environmentalist Maya van Rossum helped secure a landmark legal victory against fracking around the Delaware River watershed, using Pennsylvania’s long-ignored Green Amendment.

State Options

- Currently, [Pennsylvania](#) (1971) and [Montana](#) (1971) are the only states with a constitutional Green Amendment. These have been applied in lawsuits regarding: mining, sewage sludge/water quality in residential communities, and accessibility of environmental protection funds.
- Measures have been introduced in: [New York](#), [New Jersey](#), [West Virginia](#), and [Maryland](#).
- At least six states are considering trying to advance a green amendment.
- The Green Amendment also has the support of 90 advocate groups that [signed a letter](#) backing the legislation in New York.

KEYPOINTS

- Green Amendments establish a [constitutional mandate](#) recognizing a healthy environment as an inherent, infeasible, generational legal right of all citizens.
- Once passed, government officials would be [required to prioritize environmental protection](#) when advancing energy policy, considering development, and crafting and implementing legislation and regulations.
- Green Amendments [support avoidance of unfair targeting](#) of communities of color, indigenous communities and low income communities - groups often disproportionately affected by poor air and water standards.
- Communities would be able to hold officials [accountable](#) when their actions, activities, and decisions cause environmental harm that violates environmental constitutional rights including for both present and future generations.

Other Resources

- [What is a Green Amendment?](#) - For The Generations
- [Green Amendment Frequently Asked Questions](#) - For The Generations
- [Green Amendments to Strengthen Environmental Justice](#) - For The Generations
- Webinar: [Pennsylvania’s Environmental Rights Amendment in Practice](#)
- [The Montana Constitution and the Right to a Clean Environment](#)

