NEW PREEMPTION

• Sweeping state laws that **clearly, intentionally, extensively**, and at times **punitively** bar local efforts to address a host of local problems.

• Often propelled by trade association and business lobbying

• Designed in many cases to preventing any regulation at all

• **Part of the same corruption and denial of democracy** as gerrymandering, campaign finance abuse, voter suppression
The quantity of preemption laws has skyrocketed

<table>
<thead>
<tr>
<th>States</th>
<th>Policy</th>
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<tbody>
<tr>
<td>25</td>
<td>Preempt local minimum wage laws</td>
</tr>
<tr>
<td>22</td>
<td>Ban local paid sick days</td>
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<tr>
<td>13</td>
<td>Ban local food and nutrition policies</td>
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<tr>
<td>43</td>
<td>Limit local authority to regulate guns or ammunition</td>
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<td>13</td>
<td>Ban local control over CAFOs</td>
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<td>10</td>
<td>Prohibit local plastic bag bans</td>
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<td>5</td>
<td>Ban local fracking bans</td>
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<td>10</td>
<td>Ban local e-cigarette regulations</td>
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</table>
The state is interfering on more policy areas

- Labor Standards
- Public Health & Safety
- Civil Rights
- Taxing & Revenue
- 5G & Broadband
- Environmental Protection
- Local Elections & Zoning
Preemption is being used in new and disturbing ways to:

1. Punish elected officials and cities
2. Overturn ballot elections
3. Perpetuate economic & racial inequity
4. End local regulation

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Preemption is being used beyond issues to implement an anti-regulatory agenda.

1. National strategy to consolidate power at state level
2. Often outlaw local action even when the state has no policy
3. End local regulation of entire sectors of government
Demonization of local democracy

Local restrictions are “an affront to personal liberty.”
Rob Bradley, Florida Senator

“When we talk about local control, we mean state control.”
Keith Fabor, Ohio State Senator

“The oppression of local control…”
Christine Sandefur, The Goldwater Institute

“Local governments do some weird s**t.”
Tennessee state lawmaker

“When local control becomes loco control, is the time for #TxLege to rein in cities.”
Donna Campbell, Texas State Senator
California’s Soda Tax Ban: A Chilling New Tactic

The American Beverage Association dropped its November ballot initiative that would have seriously weakened the ability of local communities to raise revenues - once the state legislature passed a law banning local soda taxes until 2030.

This form of extortion may be replicated.
If Americans don’t start paying closer attention to what’s happening in statehouses across the country, the republic may never recover.

“The Death of Compassionate Democracy” by Margaret Renkl
Local Solutions Support Center

A national hub that coordinates and creates efforts to counter the abuse of preemption and strengthen local democracy.

Goals are to raise awareness of state preemption and its consequences, reduce the use of this threat to democracy, and strengthen the power of cities to advance policies that promote equity, inclusion, public health, and civic participation.