

Principles of Home Rule for the 21st Century

Cities, counties, and towns are on the front lines of America's most pressing problems. Local governments today are responsible for protecting our health and safety and are increasingly called to respond to inequality, fight climate change, manage technological change, and so many other vital demands. Local governments have always been the places where innovative and timely policy solutions are devised and tested—but today so much more is being asked of them.

Home rule—the legal structure that determines local power and how states can interfere with local decision-making—has historically provided a framework for local governance. But it is no longer up to the task of meeting the challenges we face in the 21st century.

It is time for an urgent and fundamental reform of the relationship between cities and states.

The last comprehensive effort to reform home rule was launched in 1953. A lot has changed in the nearly seven decades since. Cities and counties are the drivers of our nation's and the global economy. Four out of five Americans call cities home, including America's most diverse populations. State and local governments used to work together collaboratively – but now, states are systematically removing or reducing the power of local governments to act on the needs and values of their residents. The old rules governing state and city relations have fundamentally broken down.

Now is not the time for tinkering around the edges. For trying to resolve the friction between cities and states issue after issue, legislative session after legislative session.

Now is the time for a bold, long-term, holistic fix: a new vision of home rule.

That is why the National League of Cities, in partnership with the Local Solutions Support Center, has published a groundbreaking *Principles of Home Rule for the Twenty-First Century*, articulating a set of values to rebalance state and local relations and providing model constitutional language to encourage law reform.

The Principles and their accompanying model constitutional language center on several fundamental propositions. First, home rule must affirm the full range of local government authority to solve the challenges they face. Home rule must particularly protect local fiscal authority, because the ability to solve local problems locally means nothing without the resources to act. Indeed, states should ensure that every local government is equipped to succeed.

Home rule also requires rethinking when and how states displace local democracy. In some circumstances, states may have compelling reasons to interfere with local governance, but they should be prepared to articulate—and defend—those reasons, setting a high bar for preemption. And to make local democracy meaningful, home rule must protect above all the choices communities make in their own governance.

Moving toward a vision of home rule built around these Principles would be an important step in aligning the role that cities and other local governments now play with the state legal structure that governs them. It would not be the first time that cities and states have fundamentally redefined their relationship. America is now at another one of those periodic junctures where the need for change is urgent and the time right for reforming home rule.

