

HOME RULE REFORM 101

Regardless of where you call home, your community should be able to tackle the unique challenges you face.

These challenges can vary from community to community, but often include things like:

- Protecting workers and improving the local economy by raising the minimum wage,
- Securing paid leave measures that prioritize the health and well-being of families and the broader community, and
- Enacting policies that advance renewable energies with an eye toward curbing climate change.

State legislatures, however, are increasingly taking away the power of local communities to act. This worrying trend has left local governments unable to meet new demands and protect their residents; and it's often the most vulnerable people – particularly BIPOC, women, LGBTQ people, immigrants, and working people – who pay the price when local authority is undermined.

There's an urgent need to address this growing crisis by reforming home rule - the area of law that determines local power - to ensure communities can address local problems.

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Without action on home rule reform, the harm of abusive preemption will only continue to grow.

Consider:

- The city of Birmingham, Alabama raised its minimum wage to \$10.10 per hour in 2016 – a policy that was quickly undercut by the majority-white Alabama state legislature. The legislature's quick preemption of the local policy meant that Birmingham's minimum wage was capped at \$7.25 per hour.
- Prior to the pandemic, the cities of Austin, Dallas, and San Antonio all passed local paid sick leave policies. Texas courts have blocked all of the policies from taking effect – even blocking the Dallas ordinance in the middle of the first COVID wave. The preemption of paid sick leave policies in Texas disproportionately harms BIPOC workers.
- At least 10 states have passed laws undermining the authority of public health agencies and local governments. This not only makes it more difficult for the health officials on the front lines to keep us all safe; but it will seriously affect the ability of communities to successfully respond to future disease outbreaks and other health emergencies.

WHAT IS HOME RULE?

Home rule is the legal concept that allows for local decision making and limits how states can interfere with that decision making. It is a legal principle that is essential to ensuring that state and local governments can work together effectively.

Although many states have limited forms of home rule, the law hasn't been fundamentally updated in nearly 70 years, even as the need for action becomes increasingly clear.

WHAT IS THE PATH FORWARD?

Reforming home rule will require us to change laws nationwide. This type of change isn't easy, but it's necessary and requires all of us to participate. Fortunately, we have a roadmap for action.

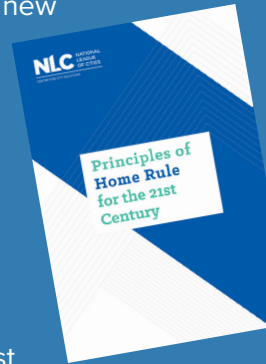
The Local Solutions Support Center and the National League of Cities published the *Principles of Home Rule for the Twenty-First Century* in February 2020. The Principles articulates a set of values to rebalance state and local relations and provides model constitutional language for legal reform.

Reforming home rule will look different from state to state, because every state has unique needs that must be addressed. Progress may come sooner in some states than others – but we can't afford to not push forward. Pursuing home rule reform brings us closer to a reality where government and elected officials are able to fulfill their responsibilities and meet the needs of their communities. It brings us closer to dismantling the policies, institutions, and cultural barriers that perpetuate harm and continue to exclude BIPOC, immigrants, LGBTQ people, women, and working people.

Your perspective is important – if you'd like to learn more about our efforts to reform home rule, please contact lssc@supportdemocracy.org.

Principles of Home Rule for the 21st Century

In February 2020, the Local Solutions Support Center partnered with the National League of Cities to publish *Principles of Home Rule for the 21st Century*. This groundbreaking new framework lays out a vision for rebalancing state and local relations, and provides model constitutional language to encourage legal reform. But the Principles are just the beginning of a longer-term conversation necessary to ensure Americans can fully participate in local democracy, and that cities are truly equipped to advance innovative and tailor-made solutions to local problems.



www.supportdemocracy.org/homerule2020

