

City Rights in an Era of Preemption: A State-by-State Analysis

The National League of Cities and state municipal leagues' report examines the prevalence of state preemption of local authority in seven key policy areas: minimum wage, paid leave, anti-discrimination, home sharing, ride sharing, municipal broadband, and tax and expenditure limitations (TEs).

"City Rights in an Era of Preemption" finds that state legislatures have recently become more aggressive with preemption efforts, which often concern politically divisive issues and rely on single party dominance to pass through state legislatures. States can preempt cities from legislating on issues either by statutory or constitutional law, and occasionally, court rulings.

Preemption that prevents cities from expanding rights, building stronger economies and promoting innovation can be counterproductive and even harmful to citizens. Ultimately, preemption leads to a loss of local control, meaning cities cannot tailor laws to fit their needs.

Overview of Findings

Policy	# of States with Preemption
Minimum Wage	25
Paid Leave	19
Anti-Discrimination	3
Ride Sharing	37
Home Sharing	3
Municipal Broadband	17
Tax and Expenditure Limitations	42

The report recommends that cities facing preemption challenges should engage in **active communication** with their state legislatures, **choose preemption battles wisely**, and address the **preemption narrative** directly.

Find the full report
at [NLC.org/preemption](https://nlc.org/preemption)

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Where Does Preemption Limit Local Control?

Preemption is the use of state law to nullify a municipal ordinance or authority. State preemption can span virtually all policy areas.

