

## Research on State Preemption of Local Laws that Support Marginalized Communities

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One tactic that corporate special interests have used to halt economic reforms supportive of working families is state preemption of local government laws. State legislators, often working with outside groups like the American Legislative Exchange Council (ALEC), use the power of state preemption to silence the voices of marginalized communities and prevent local democracies from following the will of its people. For example, a concerted and well-funded effort by corporate special interests to suppress wages has been pushed by groups like ALEC, which has model laws to preempt minimum wage, living wage, and prevailing wage. And this is partly why at least half of the states now preempt local minimum wage ordinances, which disproportionately impact women and people of color. This economic suppression of marginalized communities is exacerbated by preemption of wage protection, paid sick leave, fair scheduling, equal pay, and affordable housing laws.

1. While there is a general awareness of the scope of state preemption legislation, there is a gap in measuring the impact on marginalized communities. Research is needed to develop case studies that analyze and explain how marginalized communities have been affected by state preemption of economically-supportive local laws and/or state preemption that prevented new local economic reforms. This research should answer the question: what are the economic impacts of state preemption on marginalized communities in a selected municipality?
2. An additional, related research need is to examine the impact of state preemption on the democratic representation of marginalized communities. What is the demographic representation of the state legislators who vote to preempt local communities from enacting family-supporting economic policies vs. the demographic make-up of the communities most affected by state preemption? This research should answer the question: what does state preemption mean for local democracy and representation of marginalized communities?
3. State preemption of local authority is often a constitutionally-protected power employed by state legislatures around the country. And it may be through changes to state constitutions that local democracies are ultimately protected. This research should answer the question: what state constitutional amendments should legislators, or citizens in ballot measure states, propose to provide safeguards for local communities from state preemption used to promote the agenda of corporate special interests over the democratic will of marginalized communities?