



MESSAGE GUIDE:

Explaining Home Rule & Why Reform is Necessary

Our communities are strongest when people and the local officials they elect can enact policies that address our local needs; protect our health, safety, and well-being; and allow individuals and families to flourish. Furthermore, we know that elected officials are more likely to enact those policies when they live and work in our community and feel accountable to us.

Unfortunately, some state lawmakers are increasingly abusing preemption to limit local policymaking, taking power away from people. Over the last decade in particular, some lawmakers have sought to undermine local policies including paid sick leave, minimum wages, local budget control, natural gas bans, and even local public health authority (amid an array of complex public health threats.)

This abuse of preemption is a tactic that, just like gerrymandering and voter suppression, is being used to take power away from communities traditionally shut out of decision making: Black, Indigenous, and People of Color (BIPOC), immigrants, LGBTQ people, women, and working people.

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We do have a roadmap for repairing the damage that’s being done – it’s called home rule reform.

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 though the need for action has become urgent and obvious.

Our vision is to modernize outdated home rule laws across the country so that our communities have the power to enact policies that help our families thrive.

Home rule reform, like abusive preemption, can be difficult to explain – even if you’re doing this work day-in and day-out. That’s why our national table is releasing new message guidance to help advocates make the case for home rule reform and move people to action. This guidance is rooted in research from partners like the African American Research Collaborative (AARC) and the non-partisan firm PerryUndem – and is meant to help you explain what home rule reform is and why action is urgently needed now.



THINGS TO KEEP IN MIND WHEN TALKING ABOUT HOME RULE REFORM

- **Most Americans don't know what home rule is.** But after they hear a short description, most support it and believe it should be modernized.
- **It's important that you not begin a conversation by immediately trying to define home rule or preemption.** These are dense concepts. Start your conversation with a specific issue or a powerful story – and use that issue or story to then grow a deeper discussion about the role of abusive preemption in causing harm. If you start with a compelling example, people will want to know what the remedy is – and that's where you can begin explaining home rule in more detail.
- **People are more focused on policy outcomes and the tangible impacts of those policies on their lives** – not what levels of government have what types of authority. People also believe the primary purpose of local government is to protect the health, safety, and well-being of residents – so talking about specific policy examples and their impacts on people is another way you can underscore the benefits of home rule reform for impacted individuals, families, and communities.
- **People understand that things are much different now than they were nearly 70 years ago.** When told that the last home rule model was updated in 1953, voters agreed it should be modernized. Voters understand that cities today are much larger, more diverse, more central to a state's economy, and responsible for solving some of our biggest problems. The overdue need to update home rule is one of the top reasons voters support reform. Voters see home rule as a good way of pushing back on state preemption efforts that undermine local power to solve local problems.



TOPLINE MESSAGE

Regardless of where you live, your local elected officials should be able to make decisions about the issues affecting you and your loved ones. Unfortunately, some state lawmakers are making it harder to do that – because they're abusing a tactic known as preemption to undermine local decision making.

We can remedy this abuse by updating home rule – the legal concept that allows for local decision making. Home rule hasn't been updated in nearly 70 years, even though our communities have changed so much in that time.

Updating home rule is one of the best ways we can begin to repair the damage done to our democracy and ensure that local elected officials and their constituents have the power they need to make the right decision for their community.

FIRST: ESTABLISH SHARED VALUES ON A SPECIFIC OR NARROW SET OF ISSUES.

Regardless of where you live, you should be able to trust that your local elected officials can make decisions about the issues affecting you and your loved ones. We elect our local officials to enact policies that protect our health, safety, and well-being. We all cherish our ability to participate in our own democracy, and that starts right in our own backyard.

Next, establish shared values by describing an issue specific to your community, or a particularly powerful personal example. Here are some examples:

- Local leaders in Birmingham, Alabama, can't meet the economic needs of many of their residents – because state lawmakers preempted a local minimum wage increase a few years ago. The move from the predominately white and male Alabama state legislature means that the minimum wage in Birmingham can't rise above \$7.25 an hour. It's worth noting that, unlike the legislature, nearly 70 percent of people who live in Birmingham identify as Black.
- Paid sick leave is one of the most popular policies in the nation – and that's not surprising, because it's something we all need at some point. But right now your access to paid sick leave is determined by your zip code. A number of states have adopted paid leave laws, but in Texas, conservative lawmakers have challenged paid sick leave policies that were passed in cities like San Antonio, Dallas, and Austin – and Texas courts halted those policies, meaning working people in those Texas cities couldn't take paid sick leave even as the pandemic raged.
- Voters in Tempe, Arizona, voted overwhelmingly in 2018 to adopt a measure aimed at curbing the influence of dark money in local politics. The measure, which won an astounding 91 percent of the vote at the polls, required entities spending more than \$1,000 in a municipal election to disclose the original source of their funding. Weeks later, the state legislature stepped in - and promptly banned municipalities from requiring federal tax-exempt organizations from disclosing funders.

Unfortunately, state lawmakers are increasingly putting the interests of their wealthy donors above doing what is best for us all. They pass unpopular laws and block local elected leaders who are just trying to do the right thing. These state lawmakers are not only undermining our local power – they're damaging our democracy.

This increase in abusive preemption means people are losing the freedom to fully participate in their own communities and democracies. **But we do have a roadmap for remedying this: we can update Home Rule.**



SECOND: INTRODUCE & EXPLAIN HOME RULE.

Home Rule is the legal concept that allows for local decision making, so that local governments have the power to act on the local needs facing their community. It also limits how states can interfere with that decision making.

- It's a legal principle that is essential to ensuring that state and local governments can work together effectively.

But home rule has not been fundamentally updated in nearly 70 years – and cities and communities have changed a lot in that time.

- Cities today are home to thriving and diverse populations, with distinct problems and needs. People living and working in cities today are driving state, national, and even global economies.
- They are on the frontlines, responsible for solving some of the toughest health and safety, economic, environmental, and social problems facing our nation today.

Eighty-one percent of Americans now call urban areas home. As a result, cities are constantly developing new and innovative solutions to address the unique problems impacting their residents.

The one-size-fits-all policymaking that state lawmakers and corporate donors often force upon large and diverse cities doesn't make sense. People living and working in Atlanta, for example, face different challenges and have different needs than people living and working in Macon.

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FINALLY: CREATE A SENSE OF URGENCY FOR UPDATING HOME RULE

Our democracy is weaker today than it was just a decade ago because some state lawmakers are increasingly brazen in their efforts to undermine the rights and power of BIPOC, immigrants, LGBTQ people, women, and working people to fully participate in our civic institutions.

- We can't fix everything overnight, but we do know that **updating Home Rule is a tangible way we can begin repairing the damage.**

Updating 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.

We all deserve to live in a place where our local elected officials and residents have the power they need to make the right decisions. We can achieve that by working together to update Home Rule.

Helpful Examples of Home Rule in Action

People have a hard time understanding what home rule is and how it impacts their communities. That's why talking about clear, real-world examples is so important. Here are a few:

- A city with lots of new development requires developers to include affordable housing in new luxury apartment buildings.
- A rural county wants to provide its residents with high-speed Internet.
- A town passes a zoning law to regulate short term rentals.
- A city wants to help protect against potential school shootings by passing firearm safety rules.
- A county wants to raise funds to upgrade its stormwater infrastructure.
- A city wants to allow for official ballot drop boxes to be placed throughout the city to make voting easier for residents.
- A city wants to set dates for local elections.
- A city wants to require projects that receive taxpayer funding hire workers from within the city limits.

