



Preemption: A Threat to Climate Equity

Defending Local Power to Protect Communities & Fight Pollution



Using a legal tool called preemption, powerful polluters are trying to weaken the ability of cities, towns, and counties to protect community members from toxics and pollution and to fight climate change.

Across the country, business interests are using campaign donations and political influence to persuade state legislators to limit the authority of cities and towns to advance climate equity. In many states, legislatures have preempted local governments from acting to address environmental injustices, phase out natural gas, reduce plastic use, protect affordable housing, and raise the minimum wage, among other policy areas.

Preemption tilts the playing field, making it harder for community members to influence decisions by elected officials. Preemption undermines democracy, stifles frontline voices, and interferes with the ability to tailor policies to meet local needs.

The good news is that communities are coming together to fight for local democracy. By understanding preemption and forming broad coalitions across issue areas united against it, we can defeat preemption efforts and move forward in fighting for just and thriving communities.

What Is Preemption?

Preemption occurs when a state or the federal government strips a lower level of government of the authority to pass laws on topics such as pesticide use, oil and gas drilling, or living wage policies.

Preemption Infobrief

More detail on the threat posed to climate equity by state preemption efforts can be found in our longer [infobrief](#).

