

Research Protocol for State Preemption Laws

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State Preemption Laws

I. Date of Protocol: November 2022

II. Scope: This longitudinal dataset captures important features of state preemption laws in effect from August 1, 2019, to November 1, 2022. The jurisdictions selected for measurement are the 50 U.S. states. The dataset includes state statutes that expressly limit or restrict the lawmaking authority of local governments, and case law and attorney general opinions that implicitly preempt local lawmaking authority. State preemption prohibits local government from enacting laws by limiting or restricting local control. Researchers collected, coded, and analyzed state laws regulating local government control in 15 domains:

- a. Ban the Box
- b. Firearms
- c. Inclusionary Zoning
- d. Municipal Broadband
- e. Paid Leave
- f. Rent Control
- g. Tax Expenditure Limit: Full Disclosure Requirements
- h. Tax Expenditure Limit: General Revenue Limit
- i. Tax Expenditure Limit: Expenditure Limit
- j. Tax Expenditure Limit: Property Tax Rate Limit
- k. Tax Expenditure Limit: Property Tax Assessment Limit
- l. Tax Expenditure Limit: Property Tax Levy Limit
- m. Transgender Rights
- n. Race and Racism in School Curriculum
- o. Municipal Police Budgets

Tax expenditure limits encompass the legal mechanisms state laws use to restrict property taxing authority of localities. Full disclosure (truth-in-taxation) laws require that local taxing authorities notify the public of specific property tax changes or increases. General revenue and expenditure limits impose restrictions on how much and to what extent local taxing authorities can collect or spend with regard to local property taxes. Tax rate limits impose restrictions on the percentage of assessed value that a property may be taxed by the local taxing authority, while assessment limits restrict localities from increasing assessed values or require specific assessment formulas. Tax levy limits prohibit localities from increasing the rate of growth of tax revenue.

III. Primary Data Collection

a. Project Dates: September 2018 – November 2022

b. Dates Covered in the Dataset: This dataset began as cross-sectional, analyzing preemption laws as they were in effect at one point in time, originally August 1, 2019.

The dataset was later updated to be longitudinal, covering changes in the law from August 1, 2019, to November 1, 2022.

- c. **Data Collection Methods:** The Center for Public Health Law Research staff (Team) building this dataset consisted of five legal researchers (Researchers) and one supervisor (Supervisor). Westlaw Next was used to identify which states had preemption laws in effect from August 1, 2019 through November 1, 2022. Secondary sources (listed below) and subject matter experts (SMEs) were consulted to assist with defining the scope of laws included in this dataset.

- d. **Databases Used:** Research was conducted using Westlaw Next, state-specific legislature websites, and secondary sources listed above. Full text versions of the laws were collected from each respective state legislature website.

- e. **Secondary Sources:**
 - i. **Ban the Box:** Partnership for Working Families, Mapping State Interference; National Employment Law Project, Guide and Toolkit; Society for Human Resource Management, Ban the Box Laws by State and Municipality.
 - ii. **Firearms:** Everytown for Gun Safety, State Firearm Preemption Laws; Grassroots Change, Preemption Watch Map; Giffords Law Center, Preemption of Local Laws.
 - iii. **Inclusionary Zoning/Rent Control:** Support Democracy, Equitable Housing; National Multifamily Housing Council, Rent Control Laws by State; Partnership for Working Families, Mapping State Interference; Grounded Solutions Network, Inclusionary Housing Database Map.
 - iv. **Paid Leave:** Grassroots Change, Preemption Watch Map; Partnership for Working Families, Mapping State Interference, National Partnership for Women & Families, Paid Sick Days Preemption Bills (Current Session), State Paid Leave Laws; Economic Policy Institute, Worker Rights Preemption in the U.S.; PEW, As More Cities Push for Paid Sick Leave, States Push Back; NCSL, State Family and Medical Leave Laws; FitSmallBusiness, State Mandatory Sick Time Laws Chart & Free Sick Time Policy.
 - v. **Municipal Broadband:** Broadband Now, State-By-State Breakdown of Municipal Broadband Roadblocks in 2019; Community Networks, Community Network Map.
 - vi. **Tax Expenditure Limits:** Lincoln Institute of Land Policy, State-by-State Property Tax at a Glance Visualization Tool; National Association of Counties (NACo), State Revenue Limitations & Mandates on County Finances; Tax Policy Center, Briefing Book; National Conference of State Legislatures (NCSL), State Tax and Expenditure Limits—2010.

- vii. **Transgender Rights:** Freedom for All Americans, Legislative Tracker: Anti-transgender Legislation; Trans Formations Project
- viii. **Race and Racism in School Curriculum:** CRT Forward Tracking Project, Critical Race Studies Program, UCLA School of Law
- ix. **Municipal Police Budgets:** Local Solutions Support Center

f. **Search Terms:**

i. Keyword searches:

1. **“ban the box”**

- a. “inquir! applicant criminal /5 history OR record”
- b. ((employ! or hiring) /20 (“criminal history” or “criminal record”)) /40 (county or town or city or local! or municipal! or “political subdivision” or preempt!)

2. **“firearms”**

- a. “firearm! and ammunition /p preempt!”
- b. “firearm! /50 regulate local”
- c. (firearm or ammunition or gun or weapon) /40 (county or town or city or local! or municipal! or “political subdivision” or preempt!)

3. **“inclusionary zoning”**

- a. “inclusionary or affordable housing /50 regulate”
- b. ((Inclusionary or affordable) /20 (housing or zoning)) /40 (regulat! or preempt! or enact! or enforce! or impose!)

4. **“municipal broadband”**

- a. “telecommunication! /50 regulate”
- b. (telecommunications or broadband) /40 (county or town or city or local! or municipal! or “political subdivision” or preempt!)

5. **“paid leave”**

- a. “family sick medical leave p/mandate! p/require!”
- b. “f.m.l.a.”
- c. “employee benefits /10 preempt! or regulate or political subdivision”
- d. ((paid /5 leave) or (sick /5 leave) or (family /5 leave) or (medical /5 leave)) /40 (county or town or city or local! or municipal! or “political subdivision” or preempt!)
- e. (paid /5 leave) or (sick /5 leave) or (family /5 leave) or (medical /5 leave)

6. **“rent control”**

- a. “rent regulation!”
- b. “rent stabilization”

- c. (Rent! /40 (control or limit or effect or regulate)) /40 (county or town or city or local! or municipal! or “political subdivision” or preempt!)
 - 7. **“property tax full disclosure”**
 - a. “local municipal! tax! /p publish notice public hearing”
 - 8. **“municipal tax revenue”**
 - a. “local! municipal! appropriation! limit”
 - 9. **“municipal tax expenditure”**
 - a. “local! municipal! tax expenditure!”
 - 10. **“property tax rate limit”**
 - a. “local! municipal! property tax limit!”
 - 11. **“property tax assessment limit”**
 - a. “local! municipal! property value limit!”
 - 12. **“property tax levy limit”**
 - a. “money or fund! raise! municipal property tax”
 - 13. **“transgender rights”**
 - a. “biological sex”
 - b. “gender identity”
 - c. “divisive concepts”
 - 14. **“race and racism in school curriculum”**
 - a. “critical race theory”
 - b. “divisive concepts”
 - c. (school or educ! or curriculum) /30 (Black or African or racism or race)
 - 15. **“municipal police budgets”**
 - a. ((budget or funding) /30 (police or “law enforcement”)) /40 (cut or reduc! or slash or modify or change or alter or remove)
 - ii. Keyword searches were supplemented by reviewing the table of contents chapters of laws in each domain.
 - iii. Once all the relevant statutes and regulations were identified for a jurisdiction, a Master Sheet was created for each jurisdiction. The Master Sheet for each jurisdiction includes the most recent statutory history for each statute and regulation. The most recent effective dates, or the date when a version of law or regulation becomes enforceable, are recorded for each relevant statute and regulation.
 - iv. All 50 jurisdictions were 100% independently, redundantly researched to confirm that all relevant law was collected by the Researchers.
 - v. Divergences, or differences between the original research and redundant research, were reviewed by the Supervisor and resolved by the Team.
- g. Initial Returns and Additional Inclusion or Exclusion Criteria:** Included laws pertaining to state-level preemption of local governments. Where state preemption of

local laws existed, state-mandated Ban the Box, paid leave requirements, rent control, and voluntary inclusionary zoning were included. In all other domains, these laws, defined as floor preemption, were out of scope.

- i. The following variables were included:
 1. Statutes and state constitutions explicitly preempting or limiting local government authority
 2. Punitive preemption provisions imposing liability or penalties for local governments and officials
 3. Case law holding state preemption laws unconstitutional (these were included only in a Caution Note)
 4. Implied preemption, in which court decisions interpret state laws as preempting local governments. Case law used to code for implied preemption were summarized in the legal text box and cited. The full text of the case law was not included in the dataset. Details of relevant court opinions were captured in Caution Notes.
 5. Attorney General opinions explicitly preempting or limiting local government authority
 6. State Department of Education policies or state Athletic Association policies or regulations explicitly regulating gender identity or race and racism in school curriculum where authority has been expressly granted by the state
- ii. The following variables were excluded:
 1. Home rule charters which limit the general powers of local governments
 2. Paid leave policies specific to COVID-19

IV. Coding

- a. **Development of Coding Scheme:** The Team conceptualized coding questions, and then circulated them to our project collaborators National League of Cities and subject matter experts for review. Subject matter experts included Beth Avery, National Employment Law Project; Jim Baller, Baller Stokes & Lide, PC; Ben Beach, The Partnership for Working Families; Nestor Davidson, Local Solutions Support Center; Kim Haddow, Local Solutions Support Center; Bethany Paquin, Lincoln Institute of Land Policy; Mark Pertschuk, Grassroots Change; Stephanie Reyes, Grounded Solutions Network; and Caitlin Walter, National Multifamily Housing Council. When the questions were finalized, the Team entered them into MonQcle, a web-based software-coding platform.

The Team expanded the scope of the project for the Phase II update by including implied preemption, captured in case law and attorney general opinions. Coding questions for municipal broadband were amended to also include laws that imposed barriers on local municipal broadband in addition to express preemption. The Team also expanded the scope of Ban the Box and rent control to include statewide Ban the Box and rent control requirements where states preempted local governments within those domains.

b. General Coding Rules:

- i. Questions asking whether there is preemption via case law were coded “Yes” only when case law created new preemption.
- ii. Where a preempting statute has been enjoined or voided by case law, the applicable questions were coded based on the statutory text with a Caution Note on the domain parent question describing the case law.

c. Coding Methods: Below are specific rules used when coding the questions and responses in the state preemption laws dataset. Note that this section only lists questions and responses that require further explanation of the question itself, the responses, or to understand specific coding decisions and rules.

- **Question 1: “In which domain, if any, does the state preempt local government?”**
 - The domain was coded when either the parent question for the domain or the case law question was coded “Yes.”
- **Question 4.1: “Which areas of firearm regulation are explicitly preempted?”**
 - “The state preempts all firearm legislation” was coded only where the law explicitly preempted all local regulation of firearms (e.g., “occupies and preempts the entire field of legislation”).
 - When the law preempted specific areas of local firearm legislation in addition to preempting all firearm legislation, both the explicit answer choices and “The state preempts all firearm legislation” were coded.
 - When the law exclusively preempted regulation related to concealed weapons, “Concealed carry” was coded and the prohibited actions were included in a Caution Note.
 - “Buyback programs” were coded when explicitly stated in the law (e.g., Indiana) or when a state prohibited a locality from facilitating the destruction or purchase of a firearm or prohibited the acquisition of a firearm for the purpose of destroying the firearm (e.g., Arizona).
 - The following areas of regulation were out of scope: imitation firearms; carrying firearms in buildings; carrying firearms in vehicles; zoning ordinances regulating firearms; state of emergency laws; regulations governing firearms for government officials (e.g., law enforcement); hunting/shooting range ordinances; ordinances regulating gun shows; taxation on firearms.
 - When an area of firearm preemption applied only to specific categories of firearm, this was noted in a Caution Note.
- **Question 4.3: “Does the law impose liability for regulating firearms?”**
 - “Yes” was coded when the law imposed liability on local officials or local governments.
 - “Yes” was coded when the law permitted individuals to seek redress by challenging local ordinances that conflict with state preemption statutes.
- **Question 4.3.2: “What type of liability does the law allow?”**

- Penalties that applied to specific violations were included in a Caution Note.
- “Civil liability” was coded when the law permitted recovery for attorney’s fees, court fees, or damages, or when the law provided grounds to seek injunctive relief.
- “Fines” was coded when the law permitted fines of any type (e.g., “civil fines” in Florida).
- **Question 6: “Does state law expressly preempt local mandatory inclusionary zoning for residential units?”**
 - Fair housing laws and laws preempting protection from discrimination based on source of income were out of scope.
 - “No” was coded when the law only regulated voluntary inclusionary zoning but did not prohibit mandatory inclusionary zoning.
 - “No” was coded when the law exclusively preempted local regulation of rent control.
 - “Yes” was coded where the law broadly preempted regulation of rent through zoning ordinances.
- **Question 8: “Is there state law regulating municipal broadband?”**
 - Laws that only preempted local cable television, but no other telecommunications services were out of scope.
 - When the law imposed bureaucratic barriers but did not expressly preempt municipal broadband, “Yes” was coded.
 - Municipal broadband laws that applied solely to local government or internal agency use were excluded.
- **Question 8.1.1: “What, if any, exceptions are there to state preemption of municipal broadband?”**
 - The following exceptions were out of scope: municipalities permitted to provide broadband related to emergency services; for medical or education services; for internal usage; and services offered to students by an educational institution (e.g., Missouri).
- **Question 8.2: “If there is no express preemption, does state law create barriers to implement municipal broadband?”**
 - When the law imposed bureaucratic barriers but did not expressly preempt municipal broadband, “Yes” was coded.
 - When the law required private entities to cease providing service, “Private entities must be willing to deploy service” was coded.
- **Question 8.2.1: “What is required in order for municipalities to provide broadband?”**
 - When the law required private entities to cease providing service, “Private entities must be unwilling or unable to deploy service” was coded.
- **Question 10.1: “What type of paid leave does the law preempt?”**
 - “Family medical leave” was coded only when it was specifically referenced in the law or expressly permitted paid leave for family medical reasons.

- “Paid sick leave” and “Family medical leave” were coded when the law explicitly defined paid leave to include both sick and family leave.
- “Paid sick leave” and “Family medical leave” were coded when the law preempted all paid leave or preempted any benefit where the employer incurred costs but did not specify the type of paid leave.
- **Question 10.2.2: “*What type of paid leave is required?*”**
 - “Family medical leave” was coded when the law specifically referenced paid leave under the federal FMLA, or when the law included paid leave for serious illness or the care for a family member or new child.
 - Required paid leave that was limited to specific groups or employment sectors was included in a Caution Note.
- **Question 10.2.1: “*What employees are covered by state paid leave?*”**
 - When the state specifies the types of public or private employees that are covered by paid leave laws, this was include in a Caution Note.
- **Question 12.1: “*Which legal authority preempts rent control?*”**
 - Although no state preempted rent control through its state constitution, this answer choice was included to remain aligned with the other preemption domains.
- **Question 12.2.1: “*Under what circumstances is rent control permitted?*”**
 - “Voluntary agreement with local government” was coded when the law permitted voluntary agreements for owners of subsidized property.
 - Laws permitting rent control for government-owned or government-subsidized property were out of scope.
- **Question 14: “*Does state law preempt local government by imposing full disclosure tax requirements?*”**
 - “Yes” was coded when the law required notice by mail or publication to newspaper, or where the law required a public hearing on any local change in property taxation.
 - “Yes” was coded when the law required public notice of intent to override local tax limitation.
 - “Yes” was coded when the law only required full disclosure for special circumstances and a Caution Note describing the circumstances was included.
 - “No” was coded if the law only required voter referendum or general election to override tax limits but did not require public disclosure prior to an election.
 - Laws requiring localities to publish receipts and expenditures in general were out of scope.
- **Question 15: “*Does state law preempt local government by imposing a general revenue limit?*”**
 - “Yes” was coded if the law limited local general revenue or appropriations.

- “Yes” was coded and a Caution Note was included when the law imposed specific general revenue limits on specific local jurisdictions.
- “No” was coded when the law only preempted local governments from exceeding budget limits generally.
- “Yes” was coded when the law imposed limitations on the revenue specifically derived from local property tax.
- “No” was coded when the law only limited revenue from local property tax.
- **Question 15.3: “Does the state allow local jurisdictions to override the general revenue limits?”**
 - “Yes” was coded when the law permitted tax levy limit override by way of public vote or other local internal process.\
- **Question 16: “Does state law preempt local government by imposing a local expenditure limit?”**
 - “Yes” was coded when the law imposed local appropriations limits.
- **Question 16.3: “Does the state allow local jurisdictions to override the expenditure limits?”**
 - “Yes” was coded when the law permitted tax levy limit override by way of public vote or other local internal process.
- **Question 17.3: “Does the state allow local jurisdictions to override the property tax rate limit?”**
 - “Yes” was coded when the law permitted tax levy limit override by way of public vote or other local internal process.
 - Override provisions limited to specific taxing authorities were included in a Caution Note.
 - “Yes” was coded and a Caution Note was included when the law also limited the tax rate override.
- **Question 18: “Does state law preempt local government by imposing a property tax assessment limit?”**
 - “Yes” was coded when the law limited local valuation of property.
- **Question 18.3: “Does the state allow local jurisdictions to override the property tax assessment limit?”**
 - “Yes” was coded when the law permitted tax levy limit override by way of public vote or other local internal process.
- **Question 19: “Does state law preempt local government by imposing a property tax levy limit?”**
 - “Yes” was coded when the law limited revenues exclusively derived from property tax.
- **Question 19.2: “Does the state allow local jurisdictions to override the property tax levy limit?”**
 - “Yes” was coded when the law permitted tax levy limit override by way of public vote or other local internal process.

- Override provisions limited to specific jurisdictions were included in a Caution Note.
- **Question 20.1: “What types of policies are preempted?”**
 - Laws requiring parental notification were coded as preemption.
 - General discrimination laws were scoped out; only laws specifically mentioning gender or sex were coded.
- **Question 22.1: “What barriers does the state enact to prevent municipalities from reducing local law enforcement budgets?”**
 - When “Allowing objections to budget reductions for local law enforcement” was coded, a Caution Note was included to explain who can object.
- **Question 22.2: “What police budget changes are preempted?”**
 - “Decreases greater than a set percentage” was coded when the answer included a decrease to previous budgets or to a percentage relative to the proposed budgets of other departments in the political subdivision over a five-year aggregate amount.
- **Question 24.1.1: “What curriculum is prohibited?”**
 - “Antiracism,” “Critical Race Theory,” “The 1619 Project,” “Systemic racism,” “Racial scapegoating,” and “Racial stereotyping” were coded only when the law expressly used those terms.
- **Question 24.2.2: “What are the penalties imposed for discussing race and racism in the classroom?”**
 - “Professional sanctions” was coded when the law outlined a complaint resolution policy (e.g., Georgia).
- **Question 24.4: “What grade levels are regulated?”**
 - “College” was coded when the law referred to higher education, community college, or junior college.
 - “Elementary school,” “Middle school,” “High school” and “College” were all coded where the law said K-20 (e.g., Florida).
 - “School district” was coded when the law said “school district,” “local school system,” or did not specify the grade level.
 - Graduate school and post-college education was scoped out.

V. Quality Control

- a. **Quality Control – Background Research (2019):** All 50 jurisdictions were 100% redundantly researched to confirm that all relevant laws were collected by the Researchers. The Researchers also consulted secondary to verify whether states had state-level preemption laws within the scope of the dataset.
- b. **Quality Control – Original Coding (2019):** Quality control of the original coding consisted of the Supervisor exporting the data into a Microsoft Excel document each day the Researchers completed coding to examine the data for any missing entries, citations, and caution notes.

- c. **Quality Control – Redundant Coding (2019):** The redundant coding process is 100% independent, redundant coding by two Researchers of each jurisdiction. Redundant coding means that each jurisdiction (a record) is assigned and coded independently by the two Researchers. Divergences, or differences between the original coding and redundant coding, are resolved through consultation and discussion with subject matter experts and the Team.

Quality control of the redundant coding consisted of the Supervisor exporting the data into a Microsoft Excel document each day the Researchers completed redundant coding to calculate divergence rates. 100% of the records were redundantly coded throughout the life of the project.

- i. **Redundant Coding for Batch One:** The supervisor assigned 19 states for Batch One (AL, AK, AZ, AR, CA, CO, CT, DE, FL, GA, HI, ID, IL, IN, IA, KS, KY, LA, ME) for redundant coding and the rate of divergence was 8.67% on August 15, 2019. A coding review meeting was held, and all divergences were resolved. Questions and answer choices were amended to clarify specific and consistent application to local governments.
 - ii. **Redundant Coding for Batch Two:** The supervisor assigned 16 states for Batch Two (MD, MA, MI, MN, MS, MO, MT, NE, NV, NH, NJ, NM, NY, NC, ND, OH) for redundant coding and the rate of divergence was 9% on October 1, 2019.
 - iii. **Redundant Coding for Batch Three:** The supervisor assigned 15 states for Batch Three (OK, OR, PA, RI, SC, SD, TN, TX, UT, VT, VA, WA, WV, WI, WY) for redundant coding and the rate of divergence was 7% on October 3, 2019.
- d. **Quality Control – Post-production Statistical Quality Control (SQC) (2019):** To ensure reliability of the data, a statistical quality control procedure (SQC) was conducted at the completion of the dataset. To conduct SQC, a random sample of observations was taken from the dataset for the researchers to code blindly. SQC was conducted until divergences were at or below 5%. If not at or below 5%, divergences were reviewed and resolved and another round of SQC was run. SQC was conducted after the dataset was completed on October 29, 2019. At that time, the divergence rate was 6.6%. Each divergence was then reviewed as a team and resolved. A second round of SQC was conducted on October 29, 2019, at which time the divergence rate was 8.1%. These divergences were also reviewed and resolved. A third round of SQC was conducted on October 30, 2019, at which time the divergence rate was 4.4%. These divergences were also reviewed and resolved.
- e. **Quality Control – Final Data Check (2019):** Prior to publication, the Supervisor downloaded all coding data into Microsoft Excel to do a final review of coding answers, statutory and regulatory citations, and caution notes. All unnecessary caution notes were deleted, and all necessary caution notes were edited for publication. The Team checked

the final coding against secondary sources listed above. Each divergence was discussed and resolved.

- f. Quality Control – Background Research (2020 Update):** All 50 jurisdictions were researched to collect amendments to existing laws, changes to case law/AG opinions, and/or newly enacted laws effective from August 1, 2019 through July 1, 2020. The Researchers consulted a combination of secondary sources (see Secondary Sources section above) to verify changes to the law.
- g. Quality Control – Original Coding (2020 Update):** Quality control consisted of the Supervisor exporting the data into a Microsoft Excel document once the Researcher completed coding for each batch of states to examine the data for any missing responses, citations, and caution notes.
- h. Quality Control – Redundant Coding (2020 Update):** Quality control consisted of the Supervisor exporting the data into a Microsoft Excel document once the Researchers completed redundant coding to calculate divergence rates. 100% of the records with substantive updates to the law were redundantly coded.

 - i. Redundant Coding for Batch One:** The supervisor assigned 10 jurisdictions for Batch One (AL, AK, GA, ID, LA, ME, MD, MA, NV, NH) for redundant coding and the rate of divergence was 4.15% on July 6, 2020. A coding review meeting was held, and all divergences were resolved. Questions and answer choices were amended to clarify specific and consistent application to local governments.
 - ii. Redundant Coding for Batch Two:** The supervisor assigned seven states for Batch Two (CA, IL, IA, TX, UT, TN, AZ) redundant coding and the rate of divergence was 8.9% on August 31, 2020.
 - iii. Redundant Coding for Batch Three:** The Supervisor assigned six states for Batch Three (NJ, OH, FL, CT, SC, VA) for redundant coding and the rate of divergence was 2.8% on October 3, 2020.
- i. Quality Control – Post-production Statistical Quality Control (SQC) (2020 Update):** To ensure reliability of the data, a statistical quality control procedure (SQC) was conducted at the completion of the dataset. To conduct SQC, a random sample of observations was taken from the dataset for the researchers to code blindly. SQC was conducted until divergences were at or below 5%. If not at or below 5%, divergences were reviewed and resolved and another round of SQC was run. SQC was conducted after the dataset was completed on October 29, 2020. At that time, the divergence rate was 4.51%. Each divergence was then reviewed as a team and resolved.
- j. Quality Control – Final Data Check (2020 Update):** Prior to publication, the Supervisor downloaded all coding data into Microsoft Excel to do a final review of coding answers, statutory and regulatory citations, and caution notes. All unnecessary

caution notes were deleted, and all necessary caution notes were edited for publication. The Team checked the final coding against secondary sources listed above. Each divergence was discussed and resolved.

- k. Quality Control – Background Research (2021 Update):** All 50 jurisdictions were researched to collect amendments to existing laws, changes to case law/AG opinions, and/or newly enacted laws effective from July 2, 2020, to November 1, 2021. The Researchers consulted a combination of secondary sources (see Secondary Sources section above) to verify changes to the law.
- l. Quality Control – Original Coding (2021 Update):** Quality control consisted of the Supervisor exporting the data into a Microsoft Excel document once the Researcher completed coding for each batch of states to examine the data for any missing responses, citations, and caution notes.
- m. Quality Control – Redundant Coding (2021 Update):** Quality control consisted of the Supervisor exporting the data into a Microsoft Excel document once the Researchers completed redundant coding to calculate divergence rates. 100% of the records with substantive updates to the law were redundantly coded.

 - i. Redundant Coding for Batch One:** The supervisor assigned 14 total jurisdictions for Batch One. Two states (AZ and CO) had substantive updates so four records were redundantly coded, and the rate of divergence was 10.5% on November 1, 2021. A coding review meeting was held, and all divergences were resolved. Questions and answer choices were amended to clarify specific and consistent application to local governments. More specifically, the team added a new answer choice, “Enforcing federal firearm laws,” to Question 4.1 to capture the “sanctuary laws” trend. Sanctuary laws prohibit government entities, including local governments and officials, from enforcing federal firearm laws that are stricter than state law.
 - ii. Redundant Coding for Batch Two:** The supervisor assigned seven states (IA, KS, ME, MT, ND, WA, and WV) for Batch Two for redundant coding and the rate of divergence was 6.2% on December 14, 2021. The majority of the divergences were in two states: MT and WA, which were thoroughly reviewed and revised, as needed, by the research team.
- n. Quality Control – Post-production Statistical Quality Control (SQC) (2021 Update):** No statistical quality control procedure (SQC) was conducted at the completion of the December 2021 update.
- o. Quality Control – Final Data Check (2021 Update):** Prior to publication, the Supervisor downloaded all coding data into Microsoft Excel to do a final review of coding answers, statutory and regulatory citations, and caution notes. All unnecessary caution notes were deleted, and all necessary caution notes were edited for publication.

The Team checked the final coding against secondary sources listed above. Each divergence was discussed and resolved.

- p. Quality Control – Background Research (2022 Update):** All 50 jurisdictions were researched to collect amendments to existing laws, changes to case law/AG opinions, and/or newly enacted laws effective from November 2, 2021, to November 1, 2022. The Researchers consulted a combination of secondary sources (see Secondary Sources section above) to verify changes to the law. The Researchers also researched three additional domains added to the dataset, researching retroactively to the starting date of the project. Secondary sources were consulted to verify whether states had state-level preemption laws within the scope of the new domains.
- q. Quality Control – Original Coding (2022 Update):** Quality control consisted of the Supervisor exporting the data into a Microsoft Excel document once the Researcher completed coding for each batch of states to examine the data for any missing responses, citations, and caution notes.
- r. Quality Control – Redundant Coding (2022 Update):** Quality control consisted of the Supervisor exporting the data into a Microsoft Excel document once the Researchers completed redundant coding to calculate divergence rates. 100% of the records with substantive updates to the law were redundantly coded.

 - i. Redundant Coding for Batch One:** The supervisor assigned seven jurisdictions (LA, TN, TX, CT, AZ, CA, and SC) for redundant coding and the rate of divergence was 9.4%. A coding review meeting was held, and all divergences were resolved. Questions and answer choices were amended to clarify specific and consistent application to local governments.
 - ii. Redundant Coding for Batch Two:** The supervisor assigned six jurisdictions (NH, ID, GA, FL, SD, and OH) for Batch Two for redundant coding. Batches Two and Three were combined for quality control and the rate of divergence was 6.2% on January 23, 2023. A coding review meeting was held, and all divergences were resolved. Questions and answer choices were amended to clarify specific and consistent application to local governments.
 - iii. Redundant Coding for Batch Three:** The supervisor assigned 15 states (IN, MS, IA, UT, DE, MO, MT, WV, AR, NC, AL, KY, MI, ND, and OK) for Batch Three for redundant coding. Batches Two and Three were combined for quality control and the rate of divergence was 6.2% on January 23, 2023. A coding review meeting was held, and all divergences were resolved. Questions and answer choices were amended to clarify specific and consistent application to local governments.

- s. Quality Control – Post-production Statistical Quality Control (2022 Update):** To ensure reliability of the data, a statistical quality control procedure (SQC) was conducted at the completion of the dataset. To conduct SQC, a random sample of observations was taken from the dataset for the researchers to code blindly. SQC was conducted until

divergences were at or below 5%. If not at or below 5%, divergences were reviewed and resolved and another round of SQC was run. SQC was conducted after the dataset was completed on February 2, 2023. At that time, the divergence rate was 2.4%. Each divergence was then reviewed as a team and resolved.

- t. **Quality Control – Final Data Check (2022 Update):** Prior to publication, the Supervisor downloaded all coding data into Microsoft Excel to do a final review of coding answers, statutory and regulatory citations, and caution notes. All unnecessary caution notes were deleted, and all necessary caution notes were edited for publication. The Team checked the final coding against secondary sources listed above. Each divergence was discussed and resolved.