



PENNSYLVANIA COMMUNITY RIGHTS NETWORK

DRAFT Proposed PA Constitutional Amendment

The Right to Local Self-Government

AN ACT

Amending the Pennsylvania Constitution to add a new section to Article I, explicitly providing for the right to local self-government by the People of the Commonwealth of Pennsylvania.

Section 29. Right to Local Self-Government

- (1) As all political power is inherent in the people, and all free governments are founded on their authority and instituted for their peace, safety, and happiness, the people have an inherent and inalienable right to local self-government in each county, city, borough, township, and town.
- (2) That right includes, without limitation:
 - (a) The power to enact local laws protecting health, safety, and welfare by establishing the rights of people, their communities, and nature, and by securing those rights using prohibitions and other means; and
 - (b) The power to enact local laws establishing, defining, altering, or eliminating the rights, powers, and duties of corporations and other business entities operating or seeking to operate in the community, to prevent infringement of locally-enacted rights and violation of the prohibitions and other means by which those rights are secured.
- (3) Local laws adopted pursuant to subsection (2) of this section shall not be subject to preemption by international, federal, or state laws, provided that:
 - (a) Such local laws shall not infringe or restrict fundamental rights of individuals, their communities, or nature secured by the Pennsylvania constitution, the United States constitution, or international law; and
 - (b) Such local laws shall not lower the floor of protections for health, safety, and welfare provided by state, federal, or international law.
- (4) All provisions of this section are self-executing and severable.