

Appendix B

Rehnquist Court Decisions Rendering State Acts and Local Ordinances Unconstitutional, 1986-2000¹

| | State | Local | Total |
|---|----------------|---------------|----------------|
| <i>Structural</i> | | | |
| Preemption (statutory) | 22 | 2 | 23 |
| Dormant Commerce Clause | 18 | 1 | 19 |
| Other | 3 | - | 3 |
| Total | 43 | 3 | 46 |
| <i>Individual Rights</i> | | | |
| First Amendment | 24 | 11 | 35 |
| Equal Protection; Fifteenth Amendment | 12 | 2 | 14 |
| Eighth Amendment; Other Criminal | 9 | - | 9 |
| Due Process; Privacy | 8 | - | 8 |
| Article I Rights, Privileges and Immunities | 6 | - | 6 |
| Total | 59 | 13 | 72 |
| TOTAL | 102 | 16 | 118 |

¹ Data from THE CONSTITUTION OF THE UNITED STATES OF AMERICA, ANALYSIS AND INTERPRETATION, ANNOTATIONS OF CASES DECIDED BY THE SUPREME COURT OF THE UNITED STATES (Congressional Research Service, Library of Congress, 1992 edition and 2000 supplement.) Tabulations by the Federalism Project.