

## Appendix: Specific State Constitutional Findings

This section provides additional detail for the findings shown in tables one, two and five. For each of the 50 states relevant pro-limited government provisions of their constitutions are identified. Additionally, leading cases are furnished to provide a launching point for more research.

### Alabama

Category	Score	Constitutional Provisions	Leading Case Citations
Free Speech	1	Freedom of speech and press, Art. 1, § 4; Right to peaceably assemble and petition for redress of grievances, etc., Art. 1, § 25.	
Property Rights	1	Unreasonable search and seizure; search warrants, Art. 1, § 5; Eminent Domain, Art. 1, § 23; Taking of property for public use by municipal and other corporations, Art. 12, § 235.	
Substantive Due Process	2	Equality and rights of men, Art. 1, § 1; People Source of Power, Art. 1, § 2; Rights of persons in criminal prosecutions generally; self incrimination; due process of law; right to speedy, public trial; change of venue, Art. 1, § 6; Courts to be open; remedies for all injuries; impartiality of justice, Art. 1, § 13; Objective of government, Art. 1, § 35; Construction of Declaration of Rights, Art. 1, § 36.	<i>State v. Lupo</i> , 984 So.2d 395 (Ala. 2007); <i>Lankford v. Sullivan, Long &amp; Hagerty</i> , 416 So. 2d 996 (Ala. 1982); <i>Mount Royal Towers, Inc. v. Alabama Board of Health</i> , 388 So. 2d 1209 (Ala. 1980); <i>City of Russellville v. Vulcan Materials Co.</i> , 382 So. 2d 525 (Ala. 1980); <i>White v. Associated Indus. of Ala., Inc.</i> , 373 So. 2d 616 (Ala. 1979); <i>Estell v. City of Birmingham</i> , 286 So. 2d 872 (Ala. 1973); <i>Bulova Watch Co. v. Zale Jewelry Co.</i> , 147 So. 2d 797 (Ala. 1962); <i>Ala. Indep. Serv. Stations Ass'n v. Hunter</i> , 31 So. 2d 571 (Ala. 1947); <i>Lisenba v. Griffin</i> , 8 So. 2d 175 (Ala. 1942); <i>Ala. Indep. Serv. Station Ass'n v. McDowell</i> , 6 So. 2d 502 (Ala. 1942); <i>but see Alabama v. Alabama</i> , 740 So.2d 371 (1999).

<b>Category</b>	<b>Score</b>	<b>Constitutional Provisions</b>	<b>Leading Case Citations</b>
Equal Protection	1	Equality and rights of men, Art. 1, § 1; Ex post facto laws; impairment of obligations of contracts; irrevocable or exclusive grants of special privileges or immunities, Art. 1, § 22.	<i>Smith v. Schulte</i> , 671 So. 2d 1334 (Ala. 1995); <i>Moore v. Mobile Infirmatory Assoc.</i> , 592 So.2d 156 (Ala. 1992).
General Negative Individual Rights	1	Religious freedom, Art. 1, § 3; Right to prosecute civil cause, Art. 1, § 10; Right to bear arms, Art. 1, § 26; Preservation of causes of action against legislative action, Art. 4, § 95; Alabama Religious Freedom Amendment, Art. 18, Amend. 662.	
Contracts Clause	1	Ex post facto laws; impairment of obligations of contracts; irrevocable or exclusive grants of special privileges or immunities, Art. 1, § 22; Impairing obligation of contracts; revival of barred rights or remedies; removal of cause of action or defense to suit after commencement of suit, Art. 4, § 95.	<i>United Companies Lending Corp. v. Autrey</i> , 723 So.2d 617 (Ala. 1998).
Structural Government Restrictions	1	Separation of powers, Art. 3, § 43; Restrictions on general appropriation bill, Art. 4, § 71; Special, private or local laws Prohibited in certain cases, Art. 4, § 104.	<i>Ellis v. Pope</i> , 709 So.2d 1161 (Ala. 1997).
Subsidy Restrictions	1	State not to engage in internal improvements or lend money or credit for same; state interest in private or corporate enterprises prohibited, Art. 4, § 93; Municipalities not to grant public money or lend credit to private persons or corporations, Art. 4, § 94. Restrictions on donation or sale of state lands to private corporations or individuals; grant of easements to railroad, telephone and telegraph companies, Art. 4, § 99; Amendment of Section 94, Art. 18, Amend. 112.	

Category	Score	Constitutional Provisions	Leading Case Citations
Fiscal Restraints	1	Property taxes to be assessed in exact proportion to value of property, Art. 11, § 211; Power to levy taxes not to be delegated, Art. 11, § 212; Creation of state debt after ratification of Constitution; temporary loans; refunding bonds for existing indebtedness, Art. 11, § 213; Limitation on state property tax rate, Art. 11, § 214; Issuance of bonds by counties, municipal corporations, districts and other political subdivisions of counties, Art. 12, § 222; Limitation on county indebtedness, Art. 12, § 224; Indebtedness of municipal corporations Limitation; exception as to Sheffield and Tuscumbia, Art. 12, § 225; Same Municipal corporations whose present indebtedness exceeds constitutional limitation; exception as to Sheffield and Tuscumbia, Art. 12, § 226; Amendment of Section 213, Art. 18, Amend. 26; Debt Limit for Counties, Art. 18, Amend. 342.	
Taxpayer Standing	1	n/a	<i>Jordan v. Siegelman</i> , 949 So.2d 887, 891 (Ala. 2006).

### Alaska

Category	Score	Constitutional Provisions	Leading Case Citations
Free Speech	1	Freedom of Speech, Art. 1, § 5; Assembly, Petition, Art. 1, § 6.	
Property Rights	2	Searches and Seizures, Art. 1, § 14; Eminent Domain, Art. 1, § 18.	<i>Ehrlander v. State, Dep't of Transp. &amp; Pub. Facilities</i> , 797 P.2d 629 (Ak. 1990).
Substantive Due Process	1	Inherent Rights, Art. 1, § 1; Source of Government, Art. 1, § 2; Due Process, Art. 1, § 7; Construction, Art. 1, § 21.	<i>Dunn v. Municipality of Anchorage</i> , 100 P.3d 905 (Ak. App. 2004).

<b>Category</b>	<b>Score</b>	<b>Constitutional Provisions</b>	<b>Leading Case Citations</b>
Equal Protection	2	Civil Rights, Art. 1, § 3; Prohibited State Action, Art. 1, § 15.	<i>Alaska Pacific Assurance Co. v. Brown</i> , 687 P.2d 264 (Ak. 1984); <i>Commercial Fisheries Entry Com'n v. Apokedak</i> , 606 P.2d 1255 (Ak. 1980); <i>Isakson v. Rickey</i> , 550 P.2d 359, 362 (Ak. 1976).
General Negative Individual Rights	2	Freedom of Religion, Art. 1, § 4; Right to Keep and Bear Arms, Art. 1, § 19; Right of Privacy, Art. 1, § 22.	<i>State v. Planned Parenthood of Alaska</i> , 171 P.3d 577 (Ak. 2007); <i>Frank v. State</i> , 604 P.2d 1068 (Ak. 1979).
Contracts Clause	1	Prohibited State Action, Art. 1, § 15.	
Structural Government Restrictions	2	Local or Special Acts, Art. 2, § 19.	<i>Abrams v. State</i> , 534 P.2d 91 (Ak. 1975).
Subsidy Restrictions	0	Public Purpose, Art. 9, § 6.	<i>Walker v. Alaska State Mortg. Ass'n</i> , 416 P.2d 245 (Ak. 1966); <i>Wright v. City of Palmer</i> , 468 P.2d 326 (Ak. 1970).
Fiscal Restraints	1	Taxing Power, Art. 9, § 1; State Debt, Art. 9, § 8; Local Debts, Art. 9, § 9; Interim Borrowing, Art. 9, § 10; Appropriation Limit, Art. 9, § 16.	
Taxpayer Standing	2	n/a	<i>Caverty v. Alaska</i> , 13 P.3d 725 (Ak. 2000).

**Arizona**

<b>Category</b>	<b>Score</b>	<b>Constitutional Provisions</b>	<b>Leading Case Citations</b>
Free Speech	2	Right of petition and of assembly, Art. 2, § 5; Freedom of speech and press, Art. 2, § 6.	<i>State v. Stummer</i> , 2008 WL 4501937 (Ariz. 2008); <i>Mountain States Tel. &amp; Tel. Co. v. Ariz. Corp. Comm'n</i> , 773 P.2d 455 (Ariz. 1989).
Property Rights	2	Eminent domain; just compensation for private property taken; public use as judicial question, Art. 2, § 17.	<i>Bailey v. Myers</i> , 76 P.3d 898 (Ariz. Ct. App. 2003) (applying <i>Inspiration Consol. Copper Co. v. New Keystone Copper Co.</i> , 144 P. 277 (Ariz. 1914)).

Category	Score	Constitutional Provisions	Leading Case Citations
Substantive Due Process	1	Fundamental principles; recurrence to, Art. 2, § 1; Political power; purpose of government, Art. 2, § 2; Due process of law, Art. 2, § 4; Constitutional provisions mandatory, Art. 2, § 32; Reservation of rights, Art. 2, § 33.	<i>Visco v. State ex rel. Pickrell</i> , 388 P.2d 155 (Ariz. 1963); <i>Killingsworth v. W. Way Motors, Inc.</i> , 347 P.2d 1098 (Ariz. 1959); <i>Edwards v. State Bd. of Barber Exam'rs</i> , 231 P.2d 450 (Ariz. 1951); <i>Buehman v. Bechtel</i> , 114 P.2d 227 (Ariz. 1941); <i>but see State v. Kaiser</i> , 65 P.3d 463 (Ariz. Ct. App. 2003).
Equal Protection	1	Equal privileges and immunities, Art. 2, § 13.	
General Negative Individual Rights	2	Right to privacy, Art. 2, § 8; Irrevocable grants of privileges, franchises or immunities, Art. 2, § 9; Liberty of conscience; appropriations for religious purposes prohibited; religious freedom, Art. 2, § 12; Bearing arms, Art. 2, § 26; Toleration of religious sentiment, Art. 20, § 1; Right to work or employment without membership in labor organization, Art. 25; Powers of real estate broker or salesman, Art. 26.	<i>State v. Ault</i> , 724 P.2d 545 (Ariz. 1986); <i>State v. Bolt</i> , 689 P.2d 519 (Ariz. 1984).
Contracts Clause	1	Bills of attainder; ex post facto laws; impairment of contract obligations, Art. 2, § 25.	<i>Earthworks Contracting, Ltd. v. Mendel-Allison Const. of California, Inc.</i> , 804 P.2d 831 (Ariz. Ct. App. 1990).
Structural Government Restrictions	2	Distribution of powers, Art. 3; Subject and title of bills, Art. 4P2, § 13; Local or special laws, Art. 4P2, § 19; Appropriation bills, Art. 4P2, § 20; Monopolies and trusts, Art. 14, § 15.	<i>Town of Gilbert v. Maricopa County</i> , 141 P.3d 416 (Ariz. Ct. App. 2006); <i>City of Tucson v. Woods</i> , 959 P.2d 394 (Ariz. Ct. App. 1997).
Subsidy Restrictions	2	Gift or loan of credit; subsidies; stock ownership; joint ownership, Art. 9, § 7.	<i>Turken v. Gordon</i> , P.3d, WL 5341030 (Ariz. Ct. App. 2008).

<b>Category</b>	<b>Score</b>	<b>Constitutional Provisions</b>	<b>Leading Case Citations</b>
Fiscal Restraints	1	Surrender of power of taxation; uniformity of taxes, Art. 9, § 1; Power of state to contract debts; purposes; limit; restrictions, Art. 9, § 5; Local debt limits; assent of taxpayers, Art. 9, § 8; Unified school district debt limit, Art. 9, § 8.1; Expenditure limitation; adjustments; reporting, Art. 9, § 20; Expenditure limitations for school districts and community college districts, Art. 9, § 21; Taxation, Art. 20, § 5.	
Taxpayer Standing	1	n/a	<i>Grant v. Board of Regents of Universities and State Colleges of Arizona</i> , 652 P.2d 1374 (Ariz. 1982)

**Arkansas**

<b>Category</b>	<b>Score</b>	<b>Constitutional Provisions</b>	<b>Leading Case Citations</b>
Free Speech	1	Right of assembly and of petition, Art. 2, § 4; Liberty of the press and of speech – Libel, Art. 2, § 6.	
Property Rights	2	Unreasonable searches and seizures, Art. 2, § 15; Property rights – Taking without just compensation prohibited, Art. 2, § 22; Taking of property by corporation – Compensation, Art. 12, § 9.	<i>Blundell v. City of West Helena</i> , 522 S.W.2d 661 (Ark. 1975).

Category	Score	Constitutional Provisions	Leading Case Citations
Substantive Due Process	1	Freedom and independence, Art. 2, § 2; Criminal charges – Self-incrimination – Due process – Double jeopardy – Bail, Art. 2, § 8; Redress of wrongs, Art. 2, § 13; Life, liberty and property – Banishment prohibited, Art. 2, § 21; Enumeration of rights of people not exclusive of other rights – Protection against encroachment, Art. 2, § 29.	<i>Ports Petroleum Co., Inc. of Ohio v. Tucker</i> , 916 S.W.2d 749 (Ark. 1996); <i>Handy Dan Imp. Ctr., Inc. v. Adams</i> , 633 S.W.2d 699 (Ark. 1982); <i>Hand v. H &amp; R Block, Inc.</i> , 528 S.W.2d 916 (Ark. 1975); <i>City of Blytheville v. Thompson</i> , 491 S.W.2d 769 (Ark. 1973); <i>McCastlain v. R. &amp; B. Tobacco Co.</i> , 411 S.W.2d 882 (Ark. 1967); <i>Union Carbide &amp; Carbon Corp. v. White River Distribs.</i> , 275 S.W.2d 455 (Ark. 1955); <i>but see Otis v. State</i> , 142 S.W.3d 615 (Ark. 2004); <i>Smith v. State</i> , 118 S.W.3d 542 (Ark. 2003); <i>Medlock v. Leathers</i> , 842 S.W.2d 428 (Ark. 1992); <i>Johnson v. Sunray Services, Inc.</i> , 816 S.W. 2d 582 (Ark. 1991).
Equal Protection	1	Equality before the law, Art. 2, § 3; Privileges and immunities – Equality, Art. 2, § 18.	
General Negative Individual Rights	1	Right to bear arms, Art. 2, § 5; Religious liberty, Art. 2, § 24; Protection of religion, Art. 2, § 25; Rights of Labor, Amend 34.	
Contracts Clause	1	Attainder – Ex post facto laws, Art. 2, § 17.	
Structural Government Restrictions	1	Perpetuities and monopolies, Art. 2, § 19; Separation of departments, Art. 4, § 2; Local and special laws, Art. 5, § 24; Special laws – Suspension of general laws, Art. 5, § 25.	<i>Special School Dist. of Fort Smith No. 100 v. Sebastian County</i> , 641 S.W.2d 702 (Ark.1982); <i>N. Little Rock Transp. Co. v. City of N. Little Rock</i> , 184 S.W.2d 52, 54 (Ark. 1944).

<b>Category</b>	<b>Score</b>	<b>Constitutional Provisions</b>	<b>Leading Case Citations</b>
Subsidy Restrictions	1	Political subdivisions not to become stockholders in or lend credit to private corporations, Art. 12, § 5; State not to be stockholder, Art. 12, § 7; Lending credit – Bond issues – Interest bearing warrants, Art. 16, § 1; Bonds prohibited except when approved by majority vote of electors, Amend 20.	
Fiscal Restraints	1	General and special appropriations, Art. 5, § 30; Purposes of taxes and appropriations, Art. 5, § 31; State expenses – Limitation – Exceptions, Art. 5, § 39; Limitation on legislative and taxing power – Local bond issues, Art. 12, § 4; Maximum rate of state taxes, Art. 16, § 8; County taxes – Limitation, Art. 16, § 9; Levy and appropriation of taxes, Art. 16, § 11; Contracts for public buildings or bridges, Art., 19, § 16; State Ad Valorem Tax Prohibition, Amend. 47.	
Taxpayer Standing	2	Protection against enforcement of illegal exactions, Art. 16, § 13.	<i>Streight v. Ragland</i> , 655 S.W.2d 459 (1983).

**California**

<b>Category</b>	<b>Score</b>	<b>Constitutional Provisions</b>	<b>Leading Case Citations</b>
Free Speech	2	“Every person may freely speak...,” Art. 1, § 2; “The people have the right to... assemble freely...,” Art. 1, § 3.	<i>Gerawan Farming, Inc. v. Lyons</i> , 24 Cal.4th 468 (2000).
Property Rights	0	“The right of the people to be secure... against unreasonable seizures...,” Art. 1, § 13; “Private property may be taken or damaged for a public use...,” Art. 1, § 19.	<i>City of Oakland v. Oakland Raiders</i> , 32 Cal.3d 60 (1982) (adverse precedent justifying zero rating).

Category	Score	Constitutional Provisions	Leading Case Citations
Substantive Due Process	1	<p>“All people are by nature free and independent and have inalienable rights...,” Art. 1, § 1;</p> <p>“A person may not be deprived of life, liberty, or property without due process...,” Art. 1, § 7;</p> <p>“Rights guaranteed by this Constitution are not dependent on those guaranteed by the United States Constitution.... This declaration of rights may not be construed to impair or deny others retained by the people...,” Art. 1, § 24;</p> <p>“The provisions of this Constitution are mandatory and Prohibitory...,” Art. 1, § 25.</p>	<p><i>Hale v. Morgan</i>, 584 P.2d 512 (Cal. 1978); <i>Walsh v. Kirby</i>, 529 P.2d 33 (Cal. 1974); <i>State Bd. of Dry Cleaners v. Thrift-D-Lux Cleaners</i>, 254 P.2d 29 (Cal. 1953).</p>
Equal Protection	0	<p>“A person may not be...denied equal protection of the laws.... A citizen or class of citizens may not be granted privileges or immunities not granted on the same terms to all citizens...,” Art. 1, § 7.</p>	<p><i>Samples v. Brown</i>, 146 Cal.App.4th 787 (Ct. App. 2007) (adverse precedent justifying zero rating); <i>Landau v. Superior Court</i>, 81 Cal.App.4th 191 (Ct. App.1998) (same).</p>
General Negative Individual Rights	1	<p>“Free exercise and enjoyment of religion without discrimination or preference are guaranteed,” Art. 1, § 4;</p> <p>“Noncitizens have the same property rights as citizens,” Art. 1, § 20;</p> <p>“The people shall have the right to fish upon and from the public lands...,” Art. 1, § 25.</p>	
Contracts Clause	1	<p>“A...law impairing the obligation of contracts may not be passed,” Art. 1, § 9.</p>	<p><i>Teachers’ Retirement Bd. v. Genest</i>, 154 Cal.App. 4th 1012 (Ct. App. 2007).</p>
Structural Government Restrictions	0	<p>“The powers of state government are legislative, executive, and judicial...,” Art. 3, § 3;</p> <p>“A local or special statute is invalid...,” Art. 4, § 16;</p> <p>“Legislature may not delegate [municipal powers] to a private person...,” Art. 9, § 11.</p>	<p><i>Los Angeles County v. Superior Court of Los Angeles County</i>, 62 Cal.2d 839 (1965) (adverse precedent justifying zero rating).</p>

Category	Score	Constitutional Provisions	Leading Case Citations
Subsidy Restrictions	0	<p>“No money shall ever be appropriated or drawn from the State Treasury for the purpose or benefit of any corporation, association, asylum, hospital, or any other institution not under the exclusive management and control of the State...,” Art. 16, § 3;</p> <p>“The Legislature shall have no power to give or to lend, or to authorize the giving or lending, of the credit of the State...in aid of or to any person...,” Art. 16, § 6;</p> <p>“The State shall not in any manner loan its credit, nor shall it subscribe to, or be interested in the stock of any company, association, or corporation...,” Art. 16, § 17.</p>	<p><i>California Assn. of Retail Tobacconists v. State of California</i>, 109 Cal. App. 4th 792 (Ct. App. 2003) (adverse precedent justifying zero rating).</p>
Fiscal Restraints	1	<p>“Not more than 25 percent of the total appropriations from all funds of the State shall be raised by means of taxes on real and personal property...,” Art. 13, § 22;</p> <p>“The maximum amount of any ad valorem tax on real property shall not exceed One percent...,” Art. 13A, § 1;</p> <p>“From and after the effective date of this article, any changes in state taxes... must be imposed by an Act passed by not less than two-thirds of all members elected to each of the two houses of the Legislature...,” Art. 13A, § 3;</p> <p>Cities, Counties and special districts, by a two-thirds vote of the qualified electors of such district, may impose special taxes on such district...,” Art. 13A, § 4;</p> <p>“The total annual appropriations subject to limitation of the State and of each local government shall not exceed the appropriations limit of the entity of government...,” Art. 13B, § 1;</p> <p>“The Legislature shall not, in any manner create any debt or debts, liability or liabilities, which shall, singly or in the aggregate with any previous debts or liabilities, exceed the sum of three hundred thousand dollars...,” Art. 16, § 1;</p> <p>“No county, city, town, township, board of education, or school district, shall incur any indebtedness or liability in any manner or for any purpose exceeding in any year the income and revenue provided for such year, without the assent of two-thirds of the voters...,” Art. 16, § 18.</p>	<p><i>Nogues v. Douglass</i>, 7 Cal. 65 (1857).</p>

Category	Score	Constitutional Provisions	Leading Case Citations
Taxpayer Standing	2	n/a	<i>Farley v. Cory</i> , 78 Cal. App.3d 583 (Ct. App. 1978) (citing <i>Blair v. Pitchess</i> , 5 Cal.3d 258 (1971); <i>Stanson v. Mott</i> , 17 Cal.3d 206 (1976))

### Colorado

Category	Score	Constitutional Provisions	Leading Case Citations
Free Speech	2	Freedom of speech & press, Art 2, § 10.	<i>Bock v. Westminster Mall Co.</i> , 819 P.2d 55 (Colo. 1991); <i>Lewis v. Co. Rockies Baseball Club</i> , 941 P.2d 266 (Colo. 1997).
Property Rights	1	Security of Person and Property Searches seizures, warrants, Art. 2, § 7; Taking private property for private use, Art. 2, § 14; Taking property for public use compensation, how ascertained, Art. 2, § 15.	
Substantive Due Process	1	Inalienable rights, Art. 2, § 3; Due process of law, Art. 2, § 25; Rights reserved not disparaged, Art. 2, § 28.	<i>City and County of Denver v. Nielson</i> , 572 P.2d 484, 486 (Colo. 1977); <i>People ex rel. Orcutt v. Instantwhip Denver, Inc.</i> , 490 P.2d 940, 945 (Colo. 1971); <i>Abdoo v. City &amp; County of Denver</i> , 397 P.2d 222, 223 (Colo. 1964); <i>Cleere v. Bullock</i> , 361 P.2d 616, 621 (Colo. 1961); <i>Olin Mathieson Chem. Corp. v. Francis</i> , 301 P.2d 139, 152 (Colo. 1956); <i>Battaglia v. Moore</i> , 261 P.2d 1017, 1020 (Colo. 1953); <i>City of Denver v. Thrailkill</i> , 244 P.2d 1074, 1080 (Colo. 1952).
Equal Protection	0	n/a	
General Negative Individual Rights	1	Religious Freedom, Art. 2, § 4; Right to bear arms, Art. 2, § 13.	<i>City of Englewood v. Apostolic Christian Church</i> , 362 P.2d 172 (Colo. 1961).

<b>Category</b>	<b>Score</b>	<b>Constitutional Provisions</b>	<b>Leading Case Citations</b>
Contracts Clause	0	Ex post facto laws, Art. 2, § 11.	<i>In re Special Assessments for Paving Dist. No. 3, in City of Golden</i> , 95 P.2d 806 (Colo. 1939).
Structural Government Restrictions	2	Distribution of powers, Art. 3; Special legislation prohibited, Art. 5, § 25; Bill to contain but one subject expressed in title, Art 5, § 21.	<i>In re Senate Bill No. 95 of Forty-Third General Assembly of State of Colo.</i> , 361 P.2d 350 (Colo. 1961).
Subsidy Restrictions	0	No Aid to corporations no joint ownership by State, County, City, Town, or School District, Art. XI, § 2.	<i>Allardice v. Adams County</i> , 476 P.2d 982 (Colo. 1970).
Fiscal Restraints	2	Appropriations to private institutions forbidden, Art. 5, § 34; Tax provided for state expenses, Art. X, § 2; Uniform taxation exemptions, Art. X, § 3; Appropriations not to exceed tax exceptions, Art. X, § 16; The Taxpayer’s Bill of Rights, Art. X § 20.	(TABOR basis of rating)
Taxpayer Standing	1	n/a	<i>People ex rel. Cory v. Colorado High School Activities Ass’n</i> , 349 P.2d 381 (Colo. 1960).

**Connecticut**

<b>Category</b>	<b>Score</b>	<b>Constitutional Provisions</b>	<b>Leading Case Citations</b>
Free Speech	1	“Every citizen may freely speak...,” Art. 1, § 4; “No law shall ever be passed to curtail or restrain the liberty of speech or of the press,” Art. 1, § 5; “The citizens have a right...to assemble...,” Art. 1, § 14.	
Property Rights	0	“The people shall be secure in their persons, houses, papers and possessions from unreasonable searches or seizures; and no warrant...shall issue without describing them as nearly as may be, nor without probable cause...,” Art. 1, § 7; “The property of no person shall be taken for public use, without just compensation therefor,” Art. 1, § 11.	<i>Tamm v. Burns</i> , 610 A.2d 590 (Conn. 1992).

Category	Score	Constitutional Provisions	Leading Case Citations
Substantive Due Process	1	<p>“No person shall be...deprived of life, liberty or property without due process of law,” Art. 1, § 8;</p> <p>“All courts...shall have remedy by due course of law...,” Art. 1, § 10.</p>	<p><i>Fair Cadillac-Oldsmobile Isuzu P’ship v. Bailey</i>, 640 A.2d 101 (Conn. 1994); <i>Caldor’s, Inc. v. Bedding Barn, Inc.</i>, 417 A.2d 343 (Conn. 1979); <i>Mott’s Super Mkts., Inc. v. Frassinelli</i>, 172 A.2d 381 (Conn. 1961); <i>United Interchange, Inc. v. Spellacy</i>, 136 A.2d 801 (Conn. 1957); <i>Amsel v. Brooks</i>, 106 A.2d 152 (Conn. 1954); <i>Gibson v. Board of Exam’rs of Embalmers</i>, 26 A.2d 783 (Conn. 1942); <i>Hart v. Bd. of Exam’rs of Embalmers</i>, 26 A.2d 780 (Conn. 1942); <i>State v. Miller</i>, 12 A.2d 192 (Conn. 1940); <i>but see Caldor’s, Inc. v. Bedding Barn, Inc.</i>, 417 A.2d 343 (Conn. 1979); <i>Schwartz v. Kelly</i>, 99 A.2d 89 (Conn. 1953).</p>
Equal Protection	1	<p>“All men are...equal in rights...,” Art. 1, § 1;</p> <p>“No person shall be denied equal protection...,” Art. 1, § 20.</p>	<p>Compare <i>State v. Schultz</i>, 921 A.2d 595 (Conn.App. 2007) with Op. Atty. Gen. No. 04-006.</p>
General Negative Individual Rights	2	<p>“The exercise and enjoyment of religious profession and worship, without discrimination, shall forever be free,” Art. 1, § 3;</p> <p>“Every citizen has a right to bear arms...,” Art. 1, § 15;</p> <p>Art. 7.</p>	<p><i>Grace Community Church v. Planning and Zoning Com’n of Town of Bethel</i>, 615 A.2d 1092 (Conn. Super. 1992).</p>
Contracts Clause	0	n/a	
Structural Government Restrictions	0	Of the distribution of powers, Art. 2 (Amended by Art. 18).	
Subsidy Restrictions	0	n/a	
Fiscal Restraints	1	<p>“The amount of general budget expenditures authorized for any fiscal year shall not exceed the estimated amount of revenue for such fiscal year,” Amend. 28.</p>	

Category	Score	Constitutional Provisions	Leading Case Citations
Taxpayer Standing	1	n/a	<i>Sadloskii v. Town of Manchester</i> , 668 A.2d 1314 (Conn. 1995).

**Delaware**

Category	Score	Constitutional Provisions	Leading Case Citations
Free Speech	1	Freedom of press, Art. 1, § 5; Right of Assembly, Art. 1, § 16.	
Property Rights	2	Searches and seizures, Art. 1, § 6; “...just compensation for property,” Art. 1, § 8; Corruption of blood; forfeiture; descent of suicide’s estate, Art. 1, § 15.	<i>Wilmington Parking Authority v. Land With Improvements, Situate In City of Wilmington</i> , 521 A.2d 227 (Del. 1986); <i>Randolph v. Wilmington Housing Authority</i> , 139 A.2d 476 (Del. 1958); <i>Wilmington Parking Authority v. Ranken</i> , 105 A.2d 614 (Del. 1954).
Substantive Due Process	1	“Procedural rights in...deprivation of life, liberty, or property,” Art. 1, § 7; Courts shall be open; compensation for injury; suits against state, Art. 1, § 9.	<i>Kreisher v. State</i> , 303 A.2d 651 (Del. 1973); <i>Globe Liquor v. Four Roses Distillers Company</i> , 281 A.2d 19 (Del. 1971); <i>Green v. Mid-Penn Nat’l Mortg. Co.</i> , 268 A.2d 876, 877 (Del. 1970); <i>Rogers v. State</i> , 199 A.2d 895, 897 (Del. 1964); <i>State v. Hobson</i> , 83 A.2d 846, 858-59 (Del. 1951); <i>Hoff v. State</i> , 197 A. 75 (Del.Super. 1938); <i>but see Helman v. State</i> , 784 A.2d 1058 (Del. 2001); <i>Prices Corner Liquors, Inc. v. Delaware Alcoholic Beverage Control Com’n</i> , 705 A.2d 571 (Del. 1998); <i>Abrams v. State</i> , 689 A.2d 1185 (Del. 1997); <i>Turnbull v. Fink</i> , 668 A.2d 1370 (Del. 1995); <i>Lowicki v. Unemployment Ins. Appeal Bd.</i> , 460 A.2d 535 (Del. 1983); <i>Lacy v. Green</i> , 428 A.2d 1171 (Del. Super. 1981); <i>but see Salem Church (Delaware) Associates v. New Castle County</i> , 2006 WL 2873745 (Del.Ch. 2006); <i>Freedman v. Longo</i> , 1994 WL 469159 (Del.Ch. 1994).

Category	Score	Constitutional Provisions	Leading Case Citations
Equal Protection	0	n/a	
General Negative Individual Rights	1	Freedom of religion, Art. 1, § 1; Right to keep and bear arms, Art. 1, § 20.	<i>Dorsey v. State</i> , 761 A.2d 807 (Del. 2000).
Contracts Clause	0	n/a	
Structural Government Restrictions	1	Restriction of bills and resolutions to one subject; expression in title; exception, Art. 2, § 16; Local or special laws..., Art. 2, § 19.	<i>Evans v. State</i> ; 872 A.2d 539 (Del. 2005); <i>Smith v. Baltimore &amp; O. R. Co.</i> , 46 Del. 441 (Del. Super. 1951).
Subsidy Restrictions	1	Contracts for supplies or services for Government departments; interest of member or officer of department, Art. 15, § 8; Lending credit, appropriating money to or becoming interested in any private corporation, person or company by county or municipality, Art. 8, § 8.	<i>Fraternal Order of Firemen of Wilmington, Del., Inc. v. Shaw</i> , 196 A.2d 734 (Del. 1963).
Fiscal Restraints	1	Uniformity of taxes..., Art. 8 § 1; Borrowing money; specification of purpose; surplus borrowed money, Art. 8, § 3; Restrictions on loan of public money or bonds and credit of state, Art. 8, § 4; Procedure in withdrawal and payment of public moneys; annual publication of receipts and expenditures, Art. 8, § 6; Limitation on increase of rate of taxes and license fees; exception to meet obligation under faith and credit pledge; allocation of public moneys to meet such obligation if revenues are not sufficient to meet such pledge, Art. 8, § 10; Imposition or levy of new taxes or license fee, Art. 8, § 11.	
Taxpayer Standing	1	n/a	<i>City of Wilmington v. Lord</i> , 378 A.2d 635 (Del. 1977).

**Florida**

<b>Category</b>	<b>Score</b>	<b>Constitutional Provisions</b>	<b>Leading Case Citations</b>
Free Speech	1	Free speech and press, Art. 1, § 4; Right to assemble Art. 1, § 5.	<i>Fla. Bd. of Pharmacy v. Webb's City, Inc.</i> , 219 So. 2d 681, 681-82 (Fla. 1969); <i>Eskind v. City of Vero Beach</i> , 159 So. 2d 209, 212-13 (Fla. 1963); <i>Stadnik v. Shell's City, Inc.</i> , 140 So. 2d 871, 875 (Fla. 1962); <i>Larson v. Lesser</i> , 106 So. 2d 188, 192 (Fla. 1958); <i>State ex rel. Walters v. Blackburn</i> , 104 So. 2d 19, 20-21 (Fla. 1958); <i>Miami Springs v. Scoville</i> , 81 So. 2d 188, 192-93 (Fla. 1955).
Property Rights	2	Searches and seizures, Art. 1, § 12; Eminent domain, Art. 10, § 6.	<i>State v. Miami Beach Redevelopment Agency</i> , 392 So.2d 875 (Fla. 1980).

Category	Score	Constitutional Provisions	Leading Case Citations
Substantive Due Process	2	Political power, Art. 1, § 1; Due process, Art. 1, § 9.	<p><i>Chicago Title Ins. Co. v. Butler</i>, 770 So. 2d 1210, 1220 (Fla. 2000); <i>In re Forfeiture of 1969 Piper Navajo</i>, 592 So. 2d 233, 236 (Fla. 1992); <i>Dep't of Ins. v. Dade County Consumer Advocate's Office</i>, 492 So. 2d 1032, 1035 (Fla. 1986); <i>State v. Saiez</i>, 489 So. 2d 1125, 1129 (Fla. 1986); <i>Horsemen's Benevolent &amp; Protective Ass'n v. Div. of Pari-Mutuel Wagering</i>, 397 So. 2d 692, 695 (Fla.1981); <i>Bass v. Gen. Dev. Corp.</i>, 374 So. 2d 479, 484-85 (Fla. 1979); <i>United Gas Pipe Line Co. v. Bevis</i>, 336 So. 2d 560, 563-64 (Fla. 1976); <i>Castlewood Int'l Corp. v. Wynne</i>, 294 So. 2d 321, 324 (Fla. 1974); <i>Hilaleah Race Course, Inc. v. Gulfstream Park Racing Ass'n</i>, 245 So. 2d 625, 628-29 (Fla. 1971); <i>Delmonico v. State</i>, 155 So. 2d 368, 370 (Fla. 1963); <i>Snedeker v. Vernmar, Ltd.</i>, 151 So. 2d 439, 442 (Fla. 1963); <i>Moore v. Thompson</i>, 126 So. 2d 543, 551 (Fla. 1961); <i>State v. Leone</i>, 118 So. 2d 781, 783 (Fla. 1960); <i>Fla. Accountants Ass'n v. Dandelake</i>, 98 So. 2d 323, 328 (Fla. 1957); <i>Miles Labs., Inc. v. Eckerd</i>, 73 So. 2d 680, 682 (Fla. 1954); <i>Lee v. Shobe</i>, 66 So. 2d 256, 256 (Fla. 1953); <i>Lee v. Delmar</i>, 66 So. 2d 252, 255 (Fla. 1953); <i>Town of Bay Harbor Islands v. Schlapik</i>, 57 So. 2d 855, 857 (Fla. 1952); <i>City of Miami v. Shell's Super Store</i>, 50 So. 2d 883, 884 (Fla. 1951); <i>Liquor Store v. Cont'l Distilling Corp.</i>, 40 So. 2d 371, 385 (Fla. 1949); <i>Sullivan v. DeCerb</i>, 23 So. 2d 571, 572 (Fla. 1945); <i>Scarborough v. Webb's Cut Rate Drug Co., Inc.</i>, 8 So. 2d 913, 922 (Fla. 1942); <i>but see City of Lauderhill v. Rhames</i>, 846 So.2d 462 (Fla. App. 4 Dist. 2003); <i>Department of Health &amp; Rehabilitative Services v. Trovillo</i>, 516 So.2d 1145 (Fla.App. 5 Dist. 1987).</p>

<b>Category</b>	<b>Score</b>	<b>Constitutional Provisions</b>	<b>Leading Case Citations</b>
Equal Protection	2	Basic rights, Art. 1, § 2.	
General Negative Individual Rights	1	Religious freedom, Art. 1, § 3; Right to work, Art. 1, § 6; Right to bear arms, Art. 1, § 8; Right to privacy, Art. 1, § 23.	
Contracts Clause	2	Prohibited laws, Art. 1, § 10.	<i>Brevard County v. Florida Power &amp; Light Co.</i> , 693 So.2d 77 (Fla.App. 5 Dist. 1997); <i>State Farm Mut. Auto Ins. Co. v. Hassen</i> , 650 So.2d 128 (Fla.App. 2 Dist. 1995); <i>State ex rel. Woman's Ben. Ass'n v. Port of Palm Beach Dist.</i> , 121 Fla. 746 (Fla. 1936).
Structural Government Restrictions	1	Access to public records and meetings, Art. 1, § 24; Branches of government, Art. 2, § 3; Laws, Art. 3, § 6; Prohibited special laws Art. 3, § 11; Appropriation bills, Art. 3, § 12.	
Subsidy Restrictions	1	Pledging credit, Art. 7, § 10; State bonds; revenue bonds, Art. 7, § 11.	
Fiscal Restraints	2	Taxpayer's bill of rights, Art. 1 § 25; Taxation, appropriations; state expenses; state revenue limitations, Art. 7, § 1; Art. 7, § 5; Local bonds, Art. 7, § 12; Laws requiring counties or municipalities to spend funds or limiting their ability to raise revenue or receive state tax revenue, Art. 7, § 18; Counties – Taxes; limitation, Art. 8, § 1(h); State retirement systems benefit changes, Art. 10, § 14; Tax or fee limitation, Art. 11, § 7.	(High rating due to TABOR-like restraints).
Taxpayer Standing	1	n/a	<i>Rickman v. Whitehurst</i> , 73 Fla. 152. (Fla. 1917).

## Georgia

Category	Score	Constitutional Provisions	Leading Case Citations
Free Speech	1	Freedom of speech and of the press guaranteed, Art. 1, § 1, P 5; Right to assemble and petition, Art. 1, § 1, P 9.	
Property Rights	1	Eminent domain, Art. 1, § 3, P 1; Searches, seizures, and warrants, Art. 1, § 1, P 13.	<i>Jones v. North Georgia Elec. Co.</i> , 125 Ga. 618 (Ga. 1906)
Substantive Due Process	2	Life, liberty, & property, Art. 1, § 1, P 1; Protection to person and property; equal protection, Art. 1, § 1, P 2; Citizens, protection of Art. 1, § 1, P 7; Enumeration of rights not denial of others, Art. 1, § 1, P 29; Origin and foundation of government, Art. 1, § 2, P 1; Object of government, Art. 1, § 2, P 2; What acts void, Art. 1, § 2, P 5.	<i>Strickland v. Ports Petroleum Co., Inc.</i> , 353 S.E.2d 17, 18 (Ga. 1987); <i>Batton-Jackson Oil Co., Inc. v. Reeves</i> , 340 S.E.2d 16, 18-19 (Ga. 1986); <i>Strickland v. Rio Stores, Inc.</i> , 255 S.E.2d 714, 716 (Ga. 1979); <i>Georgia Franchise Practices Comm'n v. Massey-Ferguson, Inc.</i> , 262 S.E.2d 106, 108 (Ga. 1979); <i>Ward v. Big Apple Super Mkts.</i> , 158 S.E.2d 396, 398 (Ga. 1967); <i>Williams v. Hirsch</i> , 87 S.E.2d 70 (Ga. 1955); <i>Cox v. Gen. Elec. Co.</i> , 85 S.E.2d 514, 519 (Ga. 1955); <i>Grayson-Robinson Stores, Inc. v. Oneida, Ltd.</i> , 75 S.E.2d 161, 165 (Ga. 1953); <i>Harris v. Duncan</i> , 67 S.E.2d 692, 694-95 (Ga. 1951); <i>but see Pawnmart, Inc. v. Gwinnett County</i> , 608 S.E.2d 639, 642 (Ga. 2005).
Equal Protection	0	Protection to person and property; equal protection, Art. 1, § 1, P 2.	<i>Sears v. Dickerson</i> , 607 S.E. 2d 562 (Ga. 2005); <i>Barnhill v. State</i> , 575 S.E. 2d 460 (Ga. 2003); <i>Board of Regents, University System of Georgia v. Rux</i> , 580 S.E. 2d 559 (Ga. App. 2003).

<b>Category</b>	<b>Score</b>	<b>Constitutional Provisions</b>	<b>Leading Case Citations</b>
General Negative Individual Rights	1	Freedom of conscience, Art. 1, § 1, P 3; Religious opinions; freedom of religion, Art. 1, § 1, P 4. Arms, right to keep and bear, Art. 1, § 1, P 8; Fishing and hunting, Art. 1, § 1, P 28.	
Contracts Clause	2	Bill of attainder; ex post facto laws; and retroactive laws, Art. 1, § 1, P 10.	<i>Davis v. Hunt</i> , 218 Ga. 630 (Ga. 1963); <i>Georgia Franchise Practices Commission v. Massey-Ferguson, Inc.</i> , 244 Ga. 800 (Ga. 1979).
Structural Government Restrictions	1	Separation of legislative, judicial, and executive powers, Art. 1, § 2, P 3; One subject matter expressed, Art. 3, § 5 P 3; Procedure for considering local legislation, Art. 3, § 5 P 8; Specific limitations, Art. 3, § 6 P 5; General appropriations bill, Art. 3, § 9 P 3.	
Subsidy Restrictions	2	Gratuities, Art. 3, § 6 P 6; State aid forbidden, Art. 7, § 4 P 8.	<i>Garden Club of Georgia, Inc. v. Shackelford</i> . 266 Ga. 24 (Ga. 1995); <i>City of Lithia Springs v. Turley</i> , 241 Ga. App. 472 (Ga. App. 1999).
Fiscal Restraints	1	Exemptions from taxation of property, Art. 7, § 1, P 2; Taxation; purposes for which powers may be exercised, Art. 7, § 3 P 1; Certain Contracts Prohibited, Art. 7, § 4 P 4; Assumption of debt forbidden; exceptions, Art. 7, § 4 P 10; Limitation on the taxing power and contributions of counties, municipalities, and political subdivisions, Art. 9, § 2 P 8; Debt limitations of counties, municipalities, and other political subdivisions, Art. 9, § 5 P 1.	
Tort Liability Limits	0	n/a	
Taxpayer Standing	2	n/a	<i>Newsome v. Union Point</i> , 249 Ga. 434 (Ga. 1982).

**State: Hawaii**, state constitution available at <http://hawaii.gov/lrb/con/>

Category	Score	Constitutional Provisions	Leading Case Citations
Free Speech	1	Freedom of religion, speech, press, assembly, and petition, Art. 1, § 4.	<i>Janra Enterprises, Inc. v. City and County of Honolulu</i> , 113 P.3d 190 (Hawaii 2005).
Property Rights	0	Searches, seizures, and invasion of privacy, Art. 1, § 7; Eminent domain, Art. 1, § 20.	<i>Hawaii Housing Authority v. Lyman</i> , 68 Haw. 55 (Hawaii 1985).
Substantive Due Process	0	Rights of individuals, Art. 1, § 2; Due process and equal protection Art. 1, § 5; Rights of citizens, Art. 1, § 8; Construction, Art. 1, § 22.	<i>Daoang v. Department. of Ed.</i> , 63 Haw. 501 (Hawaii 1981).
Equal Protection	1	Equality of rights, Art. 1, § 3; Due process and equal protection, Art. 1, § 5; Limitations of special privileges, Art. 1, § 21.	
General Negative Individual Rights	2	Freedom of religion, speech, press, assembly, and petition, Art. 1, § 4; Right to privacy, Art. 1, § 6; Right to bear arms, Art. 1, § 17.	<i>State v. Kam</i> , 69 Haw. 483 (Hawaii 1988); <i>State v. Mendoza</i> , 82 Haw. 143 (Hawaii 1996).
Contracts Clause	0	n/a	
Structural Government Restrictions	1	Plain language, Art. 16, § 13.	
Subsidy Restrictions	0	Appropriations for private purposes prohibited, Art. 7, § 4.	<i>State ex rel. Amemiya v. Anderson</i> , 56 Haw. 566 (Hawaii 1976).
Fiscal Restraints	1	Expenditure controls, Art. 7 § 5; Legislative appropriations; procedures; expenditure ceiling, Art. 7, § 9; Definitions; issuance of indebtedness, Art. 7, § 12; Debt limit; exclusions, Art. 7, § 13; Taxation and finance, Art. 8, § 3.	Op. Atty Gen. Opinion No. 97-1
Taxpayer Standing	1	n/a	<i>Hawaii's Thousand Friends v. Anderson.</i> , 70 Haw. 276 (Hawaii 1989).

**Idaho**

<b>Category</b>	<b>Score</b>	<b>Constitutional Provisions</b>	<b>Leading Case Citations</b>
Free Speech	1	Free speech & press, Art. 1, § 9; Right of assembly, Art. 1, § 10.	
Property Rights	1	Right of eminent domain, Art. 1, § 14; Unreasonable searches and seizures prohibited, Art. 1, § 17.	<i>O'Connor v. City of Moscow</i> , 202 P.2d 401, 404 (Idaho 1949); <i>DeGraff v. Wright</i> , 130 Idaho 577 (Idaho 1997).
Substantive Due Process	1	Inalienable rights of man, Art. 1, § 1; Art. 1, § 2; Guarantees in criminal actions and due process of law, Art. 1, § 13; Justice to be freely and speedily administered, Art. 1, § 18; Reserved rights not impaired, Art. 1, § 21.	<i>Sun Ray Drive-In Dairy, Inc. v. Trenhaile</i> , 486 P.2d 1021, 1024 (Idaho 1971); <i>Winther v. Village of Weippe</i> , 430 P.2d 689, 695 (Idaho 1967); <i>Berry v. Summers</i> , 283 P.2d 1093, 1096 (Idaho 1955).
Equal Protection	1	Political power inherent in the people, Art. 1, § 2.	
General Negative Individual Rights	2	Guaranty of religious freedom, Art. 1, § 4; Right to keep and bear arms, Art. 1, § 11.	<i>Osteraas v. Osteraas</i> , 124 Idaho 350 (Idaho 1993)
Contracts Clause	2	Bills of attainder, etc., prohibited, Art.1, § 16.	<i>City of Hayden v. Washington Water Power Co.</i> , 108 Idaho 467 (Idaho App. 1985); <i>Matter of Echavarren</i> , 2 BR 215 (Bkrcty.Idaho 1980); <i>Curtis v. Firth</i> , 123 Idaho 598 (Idaho 1993).
Structural Government Restrictions	1	Bills of attainder, etc., prohibited, Art. 1, § 16; Single subject, Art. 3, § 16; Local & special laws prohibited, Art. 3, § 19; Departments limited, Art. 4, § 20; Combinations in restraint of trade prohibited, Art 11, § 18.	
Subsidy Restrictions	2	Loan of state credit prohibited..., Art. 8, § 2; County, etc., not to loan or give its credit, Art. 8, § 4; Retroactive laws favoring corporations prohibited, Art. 11, § 12; Municipal corporations not to loan credit, Art. 12, § 4.	<i>Village of Moyie Springs v. Aurora Mfg. Co.</i> , 353 P.2d 767 (Idaho 1960); <i>State v. Idaho Power Co.</i> , 346 P.2d 596 (Idaho 1959).

Category	Score	Constitutional Provisions	Leading Case Citations
Fiscal Restraints	2	Maximum rate of taxation, Art. 7, § 9; Making profit from public money prohibited, Art. 7, § 10; Expenditures not to exceed appropriation, Art. 7, § 11; Legislature to provide system of county finance, Art. 7, § 15; Limit on public indebtedness, Art. 8, § 1; Limitations on county and municipal indebtedness, Art. 8, § 3; State not to assume local indebtedness, Art. 12, §3.	<i>Lyons v. Bottolfsen</i> , 101 P.2d 1 (Idaho 1940).
Taxpayer Standing	0	n/a	<i>Koch v. Crayon County</i> , 145 Idaho 158 (Idaho 2008).

### Illinois

Category	Score	Constitutional Provisions	Leading Case Citations
Free Speech	2	Freedom of speech, Art. 1, § 4; Right to assemble and petition, Art. 1, § 5.	<i>Vineyard Christian Fellowship of Evanston, Inc. v. City of Evanston</i> , 250 F.Supp.2d 961 (N.D.Ill. 2003).
Property Rights	2	Searches, seizures, privacy, and interceptions, Art. 1, § 6; Right of eminent Domain, Art. 1, § 15.	<i>Southwestern Ill. Dev. Auth. v. Nat'l City Env. LLC</i> , 768 N.E. 2d 1, 11 (Ill. 2002); <i>City of Chicago v. Boulevard Bank Nat. Ass'n</i> , 688 N.E.2d 844 (Ill.App. 1 Dist. 1997); <i>Hyslop v. Finch</i> , 99 Ill. 171 (Ill. 1881); <i>Citizens Utilities Co. of Illinois v. Metropolitan Sanitary Dist. of Greater Chicago</i> , 322 N.E.2d 857 (Ill.App. 1974); <i>Wolford v. City of Chicago</i> , 138 N.E.2d 502, 503 (Ill. 1956).

Category	Score	Constitutional Provisions	Leading Case Citations
Substantive Due Process	2	Inherent and inalienable rights, Art. 1, §1; Due process and equal protection, Art. 1, § 2; Right to remedy and justice, Art. 1, § 12; Fundamental principles, Art. 1, § 23; Rights retained, Art. 1, § 24; Sovereign immunity abolished, Art. 13, § 4.	<i>Church v. State</i> , 646 N.E.2d 572, 580 (Ill. 1995); <i>People v. Johnson</i> , 369 N.E.2d 898, 903 (Ill. 1977); <i>People v. Masters</i> , 274 N.E.2d 12, 14 (Ill. 1971); <i>City Sav. Ass'n v. Int'l Guar. &amp; Ins. Co.</i> , 162 N.E.2d 345, 347 (Ill. 1959); <i>Gholson v. Engle</i> , 138 N.E.2d 508, 512 (Ill. 1956); <i>Heimgaertner v. Benjamin Elec. Mfg. Co.</i> , 128 N.E.2d 691, 697 (Ill. 1955); <i>Figura v. Cummins</i> , 122 N.E.2d 162, 166 (Ill. 1954); <i>Schroeder v. Binks</i> , 113 N.E.2d 169, 170-73 (Ill. 1953); <i>N. Ill. Coal Corp. v. Medill</i> , 72 N.E.2d 844, 847 (Ill. 1947); <i>Metro. Trust Co. v. Jones</i> , 51 N.E.2d 256, 260 (Ill. 1943); <i>but see Burnier v. Burris</i> , 113 Ill.2d 219 (Ill. 1986).
Equal Protection	0	Due process and equal protection, Art. 1, § 2.	<i>In re A.A.</i> , 181 Ill.2d 32 (Ill. 1998).
General Negative Individual Rights	1	Religious freedom, Art. 1, § 3; Right to arms, Art. 1, § 22; Rights of individuals, Art. 11, § 2.	<i>Abierta v. City of Chicago</i> , 949 F.Supp. 637 (N.D.Ill. 1996).
Contracts Clause	0	Ex post facto laws and impairing contracts, Art. 1, § 16.	<i>Marriage of Rosenbaum-Golden and Golden</i> , 884 N.E.2d 1272 (Ill.App. 1 Dist. 2008).
Structural Government Restrictions	0	Ex post facto laws and impairing contracts, Art. 1, § 16; Separation of powers, Art. 2, § 1; Special legislation, Art. 4, § 13.	<i>Toia v. People</i> , 776 N.E.2d 599 (Ill.App. 1 Dist. 2002)
Subsidy Restrictions	1	General provisions, Art. 8, § 1.	
Fiscal Restraints	1	Limits on income taxation, Art. 9 § 3; State debt, Art 9, § 9.	
Taxpayer Standing	1		<i>Fergus v. Russel</i> , 270 Ill. 304, 110 N.E. 130 (1915).

## Indiana

Category	Score	Constitutional Provisions	Leading Case Citations
Free Speech	1	<p>“No law shall be passed...restricting the right to...speak, write, or print freely...,” Art. 1, § 9;</p> <p>“No law shall restrain any of the inhabitants of the State from assembling...,” Art. 1, § 31.</p>	1979 Op. Atty. Gen. No. 29; 1972 Op. Atty. Gen. No. 12.
Property Rights	1	<p>“The right of the people...against unreasonable search or seizure, shall not be violated,” Art. 1, § 11;</p> <p>“No person’s property shall be taken by law, without just compensation,” Art. 1, § 21.</p>	<i>Pulos v. James</i> , 302 N.E.2d 768 (Ind. 1973).
Substantive Due Process	1	<p>“...all people are created equal; that they are endowed by their CREATOR with certain inalienable rights...,” Art. 1, § 1;</p> <p>“All courts shall be open; and every person...shall have remedy by due course of law,” Art. 1, § 12.</p>	<i>Dep’t of Ins. v. Motors Ins. Corp.</i> , 138 N.E.2d 157, 165 (Ind. 1956); <i>Dep’t of Fin. Insts. v. Holt</i> , 108 N.E.2d 629, 637 (Ind. 1952); <i>Kirtley v. State</i> , 84 N.E.2d 712, 715 (Ind. 1949); <i>Dep’t of Ins. v. Schoonover</i> , 72 N.E.2d 747, 750 (Ind. 1947); <i>State Bd. of Barber Exam’rs v. Cloud</i> , 44 N.E.2d 972, 979 (Ind. 1942); <i>Needham v. Proffit</i> , 41 N.E.2d 606, 607 (Ind. 1942).
Equal Protection	1	<p>“The General Assembly shall not grant to any citizen, or class of citizens, privileges or immunities, which, upon the same terms, shall not equally belong to all citizens,” Art. 1, § 23.</p>	
General Negative Individual Rights	1	<p>“All people shall be secured in the natural right to worship ALMIGHTY GOD...,” Art. 1, § 2;</p> <p>“No law shall, in any case whatever, control the free exercise and enjoyment of religious opinions...,” Art. 1, § 3;</p> <p>“No preference shall be given, by law, to any creed, religious society, or mode of worship...,” Art. 1, § 4;</p> <p>“The people shall have a right to bear arms...,” Art. 1, § 32;</p> <p>“Emigration from the State shall not be prohibited,” Art. 1, § 36.</p>	

<b>Category</b>	<b>Score</b>	<b>Constitutional Provisions</b>	<b>Leading Case Citations</b>
Contracts Clause	1	“No <i>ex post facto</i> law, or law impairing the obligation of contracts, shall ever be passed,” Art. 1, § 24.	
Structural Government Restrictions	1	“No law shall be passed, the taking effect of which shall be made to depend upon any authority, except as provided in this Constitution, Art. 1, § 25; “The powers of the Government are divided into three separate departments...,” Art. 3, § 1; “An act...shall be confined to one subject and matters properly connected therewith,” Art. 4, § 19; “The General Assembly shall not pass local or special laws...,” Art. 4, § 22; “...all laws shall be general, and of uniform operation throughout the State...,” Art. 4, § 23.	
Subsidy Restrictions	1	“The State shall not be a stockholder in any bank; nor shall the credit of the State ever be given, or loaned, in aid of any person, association or corporation; nor shall the State become a stockholder in any corporation or association...,” Art. 11, § 12.	
Fiscal Restraints	1	“The General Assembly shall provide, by law, for a uniform and equal rate of property assessment and taxation...,” Art. 10 § 1; “No law shall authorize any debt to be contracted...except...to meet casual deficits in the revenue; to pay the interest on the State Debt; to repel invasion, suppress insurrection, or, if hostilities be threatened, provide for the public defense,” Art. 10, § 5; “No political or municipal corporation in this State shall ever become indebted...to an amount...exceeding two per centum on the value of the taxable property within such corporation,” Art. 13, § 1.	
Taxpayer Standing	0	n/a	<i>Cablevision v. Colby Cable Corp.</i> , 417 N.E.2d 348 (Ind.App. 1981).

## Iowa

Category	Score	Constitutional Provisions	Leading Case Citations
Free Speech	0	Liberty of speech & press, Art. 1, § 7.	<i>Immaculate Conception Corp. v. Iowa Dept. of Transp.</i> , 656 N.W.2d 513 (Iowa 2003); <i>Iowa Supreme Court Bd. of Professional Ethics and Conduct v. Kirlin</i> , 570 N.W.2d 643 (Iowa 1997).
Property Rights	0	Personal security – searches and seizures, Art. 1, § 8; Eminent domain – drainage ditches and levees, Art. 1, § 18.	<i>State v. Carter</i> , 733 N.W.2d 333 (Iowa 2007).
Substantive Due Process	2	Rights of person, Art. 1, § 1; Art. 1, § 2; Right of trial by jury – due process of law, Art. 1, § 9; Rights reserved, Art. 1, § 25.	<i>Midwest Check Cashing, Inc. v. Richey</i> , 728 N.W.2d 396 (Iowa 2007); <i>Racing Ass’n of Central Iowa v. Fitzgerald</i> , 675 N.W.2d 1 (Iowa 2004); <i>Pierce v. Inc. Town of La Porte City</i> , 146 N.W.2d 907, 910 (Iowa 1966); <i>Cent. States Theatre Corp. v. Sar</i> , 66 N.W.2d 450, 454 (Iowa 1954); <i>Sperry &amp; Hutchinson Co. v. Hoegh</i> , 65 N.W.2d 410, 419 (Iowa 1954); <i>City of Osceola v. Blair</i> , 2 N.W.2d 83, 85 (Iowa 1942).
Equal Protection	1	Rights of person, Art. 1, § 1; Laws uniform, Art. 1, § 6.	<i>Racing Ass’n Of Central Iowa v. Fitzgerald</i> , 675 N.W.2d 1 (Iowa 2004).
General Negative Individual Rights	1	Religion, Art. 1, § 3.	
Contracts Clause	1	Attainder – ex post facto law – obligation of contracts, Art. 1, § 21.	<i>Des Moines Joint Stock Land Bank of Des Moines v. Nordholm</i> , 253 N.W. 701 (Iowa 1934).

Category	Score	Constitutional Provisions	Leading Case Citations
Structural Government Restrictions	1	Departments of government, Art. 3, § 1; Acts – one subject – expressed in title, Art. 3, § 29; Local or special laws – general and uniform – boundaries of counties, Art. 3, § 30; Tax imposed distinctly stated, Art. 7, § 7.	<i>Matter of Chicago, Milwaukee, St. Paul and Pac. R. Co.</i> , 334 N.W.2d 290 (Iowa 1983); <i>Motor Club of Iowa v. Department of Transp.</i> , 265 N.W.2d 151 (Iowa 1978); <i>State v. Taylor</i> , 557 N.W.2d 523 (Iowa 1996).
Subsidy Restrictions	1	Credit not to be loaned, Art. 7, § 1.	
Fiscal Restraints	1	Indebtedness of political or municipal corporations, Art. 11 § 3; Limitation, Art. 7, § 2; Contracting debt – submission to the people, Art. 7, § 5.	
Taxpayer Standing	0	n/a	<i>Godfrey v. State</i> , 752 N.W.2d 413 (Iowa 2008).

**Kansas**

Category	Score	Constitutional Provisions	Leading Case Citations
Free Speech	1	Right or peaceable assembly; petition, BoR3; Liberty of press and speech; libel, BoR11.	
Property Rights	0	No forfeiture of estate for crimes, BoR12; Search and seizure, BoR15; Property rights of citizens and aliens, BoR17; Right of way; eminent domain, Art. 12, § 4.	<i>Young Partners, LLC v. Board of Educ., Unified School Dist. No. 214, Grant County</i> , 160 P.3d 830 (Kan. 2007).
Substantive Due Process	1	Equal rights, BoR1; Political power; privileges, BoR2; Justice without delay, BOR 18; Powers retained by people, BoR20.	<i>City of Baxter Springs v. Bryant</i> , 598 P.2d 1051, 1061 (Kan. 1979); <i>Delight Wholesale Co. v. City of Prairie Village</i> , 491 P.2d 910, 913 (Kan. 1971); <i>Sunflower Tip Top Dairies Co. v. City of Russell</i> , 362 P.2d 76, 80 (Kan. 1961); <i>Gilbert v. Mathews</i> , 352 P.2d 58, 69 (Kan. 1960); <i>State ex rel. Anderson v. Fleming Co.</i> , 339 P.2d 12, 18 (Kan. 1959); <i>but see Payne v. Boeing Co.</i> , 180 P.3d 590 (Kan.App. 2008).

Category	Score	Constitutional Provisions	Leading Case Citations
Equal Protection	1	Equal rights, BoR1; Political power; privileges, BoR2.	
General Negative Individual Rights	1	Bear arms; armies, BoR4; Religious liberty, BoR7; Membership or nonmembership in labor organizations, Art. 15, § 12.	<i>Compare City of Junction City v. Mevis</i> , 226 Kan. 526 (Kan. 1979) with <i>City of Salina v. Blaksley</i> , 72 Kan. 230 (Kan. 1905).
Contracts Clause	0	n/a	
Structural Government Restrictions	1	Uniform operation of laws of a general nature, Art. 2, § 17.	<i>Ullrich v. Board of County Com'rs of Thomas County</i> , 234 Kan. 782 (Kan. 1984); <i>Elam v. Bruenger</i> , 165 Kan 31 (Kan. 1948).
Subsidy Restrictions	1	State not be stockholder, Art. 13, § 2.	
Fiscal Restraints	1	State debts; annual tax; proceeds, Art. 11 § 6; Election on indebtedness, Art. 11, § 7; Borrowing money by state, Art. 11, § 8; Internal improvements; state highway system; flood control; conservation or development of water resources, Art. 11, § 9.	
Taxpayer Standing	0	n/a	<i>Haines v. Rural High School District. No. 3 of Republic County</i> , 171 Kan 271 (Kan. 1951).

### Kentucky

Category	Score	Constitutional Provisions	Leading Case Citations
Free Speech	1	Freedom of speech and of the press, § 1, § 8.	
Property Rights	2	Double jeopardy – property not to be taken for public use without compensation, § 13; Search & seizure, § 10.	<i>Johnson v. City of Paducah</i> , 512 S.W.2d 514 (Ky. 1974); <i>God's Center Foundation, Inc. v. Lexington Fayette Urban County Government</i> , 125 S.W.3d 295 (Ky.App. 2002); <i>Com. v. Kelley</i> , 314 Ky. 581 (Ky. 1951); <i>City of Owensboro v. McCormick</i> , 581 S.W.2d 3 (Ky. 1979).

<b>Category</b>	<b>Score</b>	<b>Constitutional Provisions</b>	<b>Leading Case Citations</b>
Substantive Due Process	2	Rights of life, liberty, worship, pursuit of safety and happiness, free speech, acquiring and protecting property, peaceable assembly, redress of grievances, bearing arms, §1; Absolute and arbitrary power denied, § 2; Power inherent in the people – Right to alter, reform, or abolish government, § 4; Right of judicial remedy for injury – Speedy trial, § 14; General powers subordinate to Bill of Rights – Laws contrary thereto are void, § 26.	<i>Remote Servs., Inc. v. FDR Corp.</i> , 764 S.W.2d 80, 83 (Ky. 1989); <i>U.S. Mining &amp; Exploration Natural Res. Co. v. City of Beattyville</i> , 548 S.W.2d 833, 835 (Ky. 1977); <i>Adams v. Louisville and Jefferson County Board of Health</i> , 439 S.W.2d 586 (Ky. 1969); <i>Gen. Elec. Co. v. Am. Buyers Corp.</i> , 316 S.W.2d 354, 361 (Ky. 1958); <i>Marshall v. City of Louisville</i> , 244 S.W.2d 755, 757 (Ky. 1951); <i>Bond Bros. v. Louisville &amp; Jefferson County Met. Sewer Dist.</i> , 211 S.W. 2d 867 (Ky. 1948); <i>City of Jackson v. Murray-Reed-Slone &amp; Co.</i> , 178 S.W.2d 847, 848 (Ky. 1944); <i>City of Mount Sterling v. Donaldson Baking Co.</i> , 155 S.W.2d 237, 239 (Ky. 1941); <i>City of Louisville v. Kuhn</i> , 145 S.W.2d 851, 856 (Ky. 1940); <i>but see Frederick v. Air Pollution Control Dist. of Jefferson County</i> , 783 S.W.2d 391 (Ky. 1990).
Equal Protection	2	Men are equal – No exclusive grant except for public services – Property not to be exempted from taxation – Grants revocable, § 3.	<i>Adams, Inc. v. Louisville &amp; Jefferson County Bd. of Health</i> , 439 S.W.2d 586, 592 (Ky. 1969).
General Negative Individual Rights	1	Rights of life, liberty, worship, pursuit of safety and happiness, free speech, acquiring and protecting property, peaceable assembly, redress of grievances, bearing arms, § 1.	
Contracts Clause	1	Ex post facto law or law impairing contract forbidden – Rules of construction for mineral deeds relating to coal extraction, § 19(1).	

Category	Score	Constitutional Provisions	Leading Case Citations
Structural Government Restrictions	1	Law may not relate to more than one subject, to be expressed in title – Amendments must be at length, § 51; Local and special legislation, § 59; General law not to be made special or local by amendment – No special powers or privileges – Law not to take effect on approval of other authority than General Assembly – Exceptions, § 60; One department not to exercise power belonging to another, § 28.	
Subsidy Restrictions	1	Commonwealth not to lend credit, nor become stockholder in corporation, nor build railroad or highway, §177; Political subdivision not to become stockholder in corporation, or appropriate money or lend credit to any person, except for roads or State Capitol, § 179; Men are equal – No exclusive grant except for public services – Property not to be exempted from taxation – Grants revocable, § 3.	
Fiscal Restraints	1	Power to contract debts – limit, § 49; Purposes for which debt may be contracted – tax to discharge – public vote, § 50; Maximum indebtedness of cities, counties, and taxing districts – General Assembly authorized to set additional limits and conditions, § 157; Adoption of budget required for cities, counties, and taxing districts – Expenditures not to exceed revenues for fiscal year, § 157b; Commonwealth not to assume debt of county or city – Exception, § 176; Law for borrowing money to specify purpose, for which alone money may be used, § 178; State tax to be levied – Taxes to be levied and collected for public purposes only and by general laws, and to be uniform within classes – Classification of property for taxation – Bonds exempt – Referendum on act classifying property, § 171.	
Taxpayer Standing	2	n/a	<i>Price v. Com., Transp. Cabinet</i> , 945 S.W.2d 429 (KY Ct. App. 1996).

**Louisiana**

<b>Category</b>	<b>Score</b>	<b>Const. Provisions</b>	<b>Leading Case Citations</b>
Free Speech	1	Freedom of expression, Art. 1, § 7; Right of assembly and petition Art. 1, § 9.	<i>Gregory v. Louisiana Bd. of Chiropractic Examiners</i> , 608 So.2d 987 (La. 1992); <i>City of Lafayette v. Justus</i> , 161 So. 2d 747, 749 (La. 1964); <i>City of Lake Charles v. Hasha</i> , 116 So. 2d 277, 280-81 (La. 1959).
Property Rights	2	Right to property, Art. 1, § 4.	
Substantive Due Process	1	Origin and purpose of government Art. 1, § 1; Due process of law, Art. 1, § 2; Unenumerated rights, Art. 1, § 24.	<i>City of Shreveport v. Restivo</i> , 491 So. 2d 377, 380 (La. 1986); <i>West v. Town of Winnsboro</i> , 211 So. 2d 665, 672, (La. 1967); <i>Sears, Roebuck &amp; Co. v. City of New Orleans</i> , 117 So. 2d 64, 66 (La. 1960); <i>Schwegmann Bros. v. La. Bd. of Alcoholic Beverage Control</i> , 43 So. 2d 248, 260 (La. 1949); <i>but see Standard Materials, Inc. v. City of Slidell</i> , 700 So.2d 975 (La.App. 1 Cir. 1997).
Equal Protection	2	Right to individual dignity, Art. 1, § 3.	<i>State v. Granger</i> , 982 So.2d 779 (La. 2008); <i>State v. Expunged Record (No.) 249,044</i> , 881 So.2d 104 (La. 2004).
General Negative Individual Rights	2	Right to privacy, Art. 1, § 5; Religious freedom, Art. 1, § 8; Rights to keep and bear arms, Art. 1, § 11; Freedom to fish, hunt, and trap, Art. 1, § 27.	<i>State v. Barret</i> , 683 So.2d 331 (La.App. 1 Cir. 1996); <i>Doe v. Entergy Services, Inc.</i> , 608 So.2d 685 (La.App. 4 Cir. 1992).
Contracts Clause	0	Prohibited laws, Art. 1, § 23.	<i>State v. All Property and Cas. Ins. Carriers Authorized and Licensed to do Business in the State of Louisiana</i> , 937 So.2d 313 (La. 2006); <i>Morial v. Smith &amp; Wesson Corp.</i> , 785 So.2d 1 (La. 2001).

Structural Government Restrictions	2	Three Branches, Limitations on each branch, Art. 2, §§ 1, 2; Prohibited local and special laws, Art. 3, § 12.	<i>State v. Dilosa</i> , 848 So.2d 546 (La. 2003); <i>Nomey v. State, Through Edwards</i> , 315 So.2d 709 (La. 1975).
Subsidy Restrictions	2	Donation, Loan, or Pledge of public credit, Art. 7, § 14.	<i>James v. Rapides Parish Police Jury</i> , 113 So.2d 88 (La.App. 1959); Op. Atty. Gen. No. 02-0297.
Fiscal Restraints	2	Income Tax; Severance Tax; Political Subdivisions, Art. 7, § 4; State Debt; Full Faith and Credit Obligations, Art. 7, § 6; State property taxation; rate limitation, Art. 7, § 19; Power to tax; public purpose, Art. 7, Part 1, § 1; Power to tax; limitation, Art. 7, § 2; Power to Tax; Sales and Use Tax; Limitation, Art. 7, § 2.2; Expenditure of state funds, Art. 7, § 10.	<i>World Trade Center Taxing Dist. v. All Taxpayers, Property Owners, and Citizens of World Trade Center Taxing Dist. and Nonresidents Owning Property or Subject to Taxation Therein</i> , 894 So.2d 1185 (La.App. 4 Cir. 2005); <i>Cities Service Oil Co. v. Carter</i> , 247 La. 974 (La. 1965).
Taxpayer Standing	1	n/a	<i>League of Women Voters of New Orleans v. New Orleans</i> , 381 So.2d 441 (La. 1980).

## Maine

Category	Score	Constitutional Provisions	Leading Case Citations
Free Speech	1	Freedom of speech and publication; libel; truth given in evidence; jury determines law and fact, Art. 1 § 4; Right of Petition, Art. 1, § 15.	<i>United Interchange, Inc. of Mass. v. Harding</i> , 145 A.2d 94, 97 (Me. 1958); <i>State v. Union Oil Co.</i> , 120 A.2d 708, 713 (Me. 1956).
Property Rights	1	Private property; when to be taken, Art. 1, § 21; Unreasonable searches prohibited, Art. 1, § 5.	
Substantive Due Process	0	Natural Rights, Art. 1, § 1; Power inherent in the people, Art. 1, § 2; Right of redress for injuries, Art. 1, § 19; Other rights not impaired, Art. 1, § 24.	<i>State v. Hacksell</i> , 2008 955 A.2d 737 (Me. 2008); <i>American Republic Ins. Co. v. Superintendent of Ins.</i> , 647 A.2d 1195 (Me. 1994); <i>Green v. Commissioner of Mental Health and Mental Retardation</i> , 750 A.2d 1265 (Me. 2000).

Category	Score	Constitutional Provisions	Leading Case Citations
Equal Protection	0	Natural Rights, Art. 1, § 1.	<i>York Hosp. v. Department of Human Services</i> , 869 A.2d 729 (Me. 2005); <i>Beaulieu v. City of Lewiston</i> , 440 A.2d 334 (Me. 1982).
General Negative Individual Rights	1	Religious freedom; sects equal; religious tests prohibited; religious teachers, Art. 1, § 3; To keep and bear arms, Art. 1, § 16.	
Contracts Clause	1	Attainder, ex post facto and contract-impairment laws prohibited, Art. 1, § 11.	
Structural Government Restrictions	1	Powers distributed, To be kept separate, Art. 3, §§ 1, 2.	
Subsidy Restrictions	0	Authority and procedure for issuance of bonds, Art 9, § 14.	<i>Common Cause v. State</i> , 455 A.2d 1 (Me. 1983).
Fiscal Restraints	1	Taxes, Art. 1, § 22; Line-item veto of dollar amounts appearing in appropriation or allocation sections of legislative documents, Art. 4, P3, § 2a; State mandates, Art. 9, § 21; No money drawn except upon appropriation or allocation, Art. 5, P3, § 4; Bonding regulations; prohibiting use of proceeds from sale of bonds to fund current expenditures, Art. 5, P3, § 5; Municipal borrowing regulated by Legislature through general law, Art. 9, § 15.	
Taxpayer Standing	1	n/a	<i>Lehigh v. Piltstanlo</i> , 456 A.2d 355 (Me. 1983).

### Maryland

Category	Score	Constitutional Provisions	Leading Case Citations
Free Speech	1	“The freedom of speech and debate...,” DoR Art. 10; “The liberty of the press ought to be inviolably preserved...,” DoR Art. 40.	<i>State v. Brookins</i> , 844 A.2d 1162 (Md. 2004); <i>Jakanna Woodworks, Inc. v. Montgomery County</i> , 344 Md. 584 (Md. 1997); <i>Md. Bd. of Pharmacy v. Sav-A-Lot, Inc.</i> , 311 A.2d 242, 252 (Md. 1973); <i>City of Baltimore v. Charles Ctr. Parking, Inc.</i> , 271 A.2d 144, 147-48 (Md. 1970).

Category	Score	Constitutional Provisions	Leading Case Citations
Property Rights	1	<p>“That no man ought to be...deprived of his life, liberty or property, but by the judgment of his peers, or by the Law of the land,” DoR Art. 24;</p> <p>“That no conviction shall work corruption of blood or forfeiture of estate,” DoR Art. 27;</p> <p>“The General Assembly shall enact no law authorizing private property to be taken for public use without just compensation,” Art. 3, § 40, 40a,b,c.</p>	<i>Green v. High Ridge Ass’n, Inc.</i> , 346 Md. 65 (Md. 1997).
Substantive Due Process	1	<p>“That the Inhabitants of Maryland are entitled to the Common Law of England...,” DoR Art. 5(a)(1);</p> <p>That every man...ought to have remedy by the course of the Law of the Land, and ought to have justice...according to the Law of the Land, DoR Art. 19;</p> <p>“That in all criminal prosecutions, every man hath a right to be informed of the accusation against him,” DoR Art. 21;</p> <p>“That no man ought to be taken or imprisoned or disseized of his freehold, liberties or privileges...but by the judgment of his peers, or by the Law of the land,” DoR Art. 24;</p> <p>“This enumeration of Rights shall not be construed to impair or deny others retained by the People,” DoR Art. 45;</p> <p>“A victim of crime shall be treated by agents of the State with dignity, respect, and sensitivity during all phases of the criminal justice process...,” DoR Art. 47.</p>	<i>Maryland State Bd. of Barber Examiners v. Kuhn</i> , 312 A.2d 216 (Md. 1973); <i>Bruce v. Director, Dept. of Chesapeake Bay Affairs</i> , 276 A.2d 200, 209 (Md. 1971); <i>Daniel Loughran Co. v. Lord Baltimore Candy &amp; Tobacco Co.</i> , 12 A.2d 201, 207 (Md. 1940); <i>but see Maryland Aggregates Ass’n, Inc. v. State</i> , 337 Md. 658 (Md. 1995).
Equal Protection	1	<p>“That no man ought to be...deprived of his life, liberty or property, but by the judgment of his peers, or by the Law of the land,” DoR Art. 24;</p> <p>“Equality of rights under the law shall not be abridged or denied because of sex,” DoR Art. 46.</p>	<i>Maryland State Bd. of Barber Examiners v. Kuhn</i> , 312 A.2d 216, 225 (Md. 1973); <i>but see Piselli v. 75th Street Medical</i> , 371 Md. 188 (Md. 2002).
General Negative Individual Rights	1	<p>“...all persons are equally entitled to protection in their religious liberty...,” DoR Art. 36.</p>	
Contracts Clause	0	n/a	

<b>Category</b>	<b>Score</b>	<b>Constitutional Provisions</b>	<b>Leading Case Citations</b>
Structural Government Restrictions	1	“That monopolies...ought not to be suffered,” DoR Art. 41; “The General Assembly shall not pass local, or special Laws...,” Art. 3, § 33.	
Subsidy Restrictions	2	“No debt shall be hereafter contracted by the General Assembly unless such debt shall be authorized by a law providing for the collection of an annual tax or taxes sufficient to pay the interest on such debt as it falls due...,” Art. 3, § 34.	<i>Maryland Industrial Development Financing Authority v. Helfrich</i> , 243 A.2d 869 (Md. 1968).
Fiscal Restraints	2	“No debt shall be hereafter contracted by the General Assembly unless such debt shall be authorized by a law providing for the collection of an annual tax or taxes sufficient to pay the interest on such debt as it falls due...,” Art. 3, § 34; “From and after the adoption of this Constitution, no debt except as hereinafter provided in this section, shall be created by the Mayor and City Council of Baltimore...,” Art. 11, § 7; “A code county shall not levy any type of tax, license fee, franchise tax, or fee... until an express authorization of the General Assembly has been enacted, Art. 11, § 9.	<i>Mayor and City Council of Baltimore v. Hofrichter</i> , 11 A.2d 375 (Md. 1940).
Taxpayer Standing	1	n/a	<i>Murray v. Comptroller</i> . 241 Md. 383 (Md. 1966).

**Massachusetts**

<b>Category</b>	<b>Score</b>	<b>Constitutional Provisions</b>	<b>Leading Case Citations</b>
Free Speech	1	“The liberty of the press...ought not...to be restrained in this commonwealth,” P1, Art. 16; “The people have a right, in an orderly and peaceable manner, to assemble...,” P1, Art. 19.	<i>Colo v. Treasurer and Receiver General</i> , 378 Mass. 550 (Mass.App. 1979).
Property Rights	0	“Each individual of the society has a right to be protected by it in the enjoyment of his life, liberty and property, according to standing laws...,” P1, Art. 10; “Every subject has a right to be secure from all unreasonable searches, and seizures...,” P1, Art. 14.	<i>Benevolent &amp; Protective Order of Elks, Lodge No. 65 v. Planning Bd. of Lawrence</i> , 531 N.E.2d 1233 (Mass. 1988).

Category	Score	Constitutional Provisions	Leading Case Citations
Substantive Due Process	1	<p>“All men are born free and equal, and have certain natural, essential, and unalienable rights...,” P1, Art. 1;</p> <p>“Government is instituted for the common good; for the protection, safety, prosperity and happiness of the people...,” P1, Art. 7;</p> <p>“Every subject of the commonwealth ought to find a certain remedy, by having recourse to the laws...,” P1, Art. 11;</p> <p>“And no subject shall be arrested, imprisoned, despoiled, or deprived of his property, immunities, or privileges...but by the judgment of his peers, or the law of the land,” P1, Art. 12;</p> <p>“A frequent recurrence to the fundamental principles of the constitution, and a constant adherence to those of piety, justice, moderation, temperance, industry, and frugality, are absolutely necessary to preserve the advantages of liberty, and to maintain a free government,” P1, Art. 18.</p>	<p><i>Goodridge v. Dep’t of Pub. Health</i>, 440 Mass. 309, 330-31 (Mass. 2005); <i>Traveler’s Indem. Co. v. Comm’r of Ins.</i>, 265 N.E.2d 90, 92 (Mass. 1970); <i>Coffee-Rich, Inc. v. Comm’r of Pub. Health</i>, 204 N.E.2d 281, 289 (Mass. 1965); <i>In re Opinion of the Justices</i>, 151 N.E.2d 631, 632 (Mass. 1958); <i>Mansfield Beauty Acad., Inc. v. Bd. of Registration of Hairdressers</i>, 96 N.E.2d 145, 147 (Mass. 1951); <i>Opinion of the Justices</i>, 79 N.E.2d 883, 888 (Mass. 1948); <i>Sperry &amp; Hutchinson Co. v. McBride</i>, 30 N.E.2d 269, 276 (Mass. 1940); <i>but see Blue Hills Cemetery, Inc. v. Board of Registration in Embalming</i>, 398 N.E.2d 471 (1979); <i>but see School Committee of Hatfield v. Board of Ed.</i>, 372 Mass. 513 (Mass. 1977); <i>Daddario v. Cape Cod Com’n</i>, 780 N.E.2d 124 (Mass.App.Ct. 2002).</p>
Equal Protection	1	<p>“All men are born free and equal, and have certain natural, essential, and unalienable rights...,” P1, Art. 1;</p> <p>“No man, nor corporation, or association of men, have any other title to obtain advantages, or particular and exclusive privileges, distinct from those of the community...,” P1, Art. 6.</p>	<p><i>Compare Com. v. De’Amicis</i>, 450 Mass. 271 (Mass. 2007) with <i>Cravedi v. Houseman</i>, 2006 WL 344962 (Mass. Land Ct. 2006).</p>
General Negative Individual Rights	0	<p>“...no subject shall be hurt, molested, or restrained for...his religious profession or sentiments,” P1, Art. 2;</p> <p>“The people have a right to keep and to bear arms...,” P1, Art. 17.</p>	<p><i>Chief of Police of Shelburne v. Moyer</i>, 453 N.E.2d 461 (Mass.App. 1983).</p>
Contracts Clause	0	n/a	

Category	Score	Constitutional Provisions	Leading Case Citations
Structural Government Restrictions	1	Limitations on local power, Art. 2, § 7; “In the government of this commonwealth, the legislative department shall never exercise the executive and judicial powers, or either of them: the executive shall never exercise the legislative and judicial powers, or either of them: the judicial shall never exercise the legislative and executive powers,” P1, Art. 30.	
Subsidy Restrictions	1	“The credit of the commonwealth shall not in any manner be given or loaned to or in aid of any individual, or of any private association, or of any corporation which is privately owned and managed,” Amend 62.	
Fiscal Restraints	1	“All moneys raised by taxation in the towns and cities for the support of public schools...shall be applied to, and expended in, no other schools than those which are conducted according to law...and such moneys shall never be appropriated to any religious sect for the maintenance exclusively of its own schools,” Amend 18; “All money received on account of the commonwealth from any source whatsoever shall be paid into the treasury thereof...,” Amend 63; “No revenue from fees, duties, excises or license taxes relating to registration, operation or use of vehicles on public highways, or to fuels used for propelling such vehicles, shall be expended for other than cost of administration of laws providing for such revenue...,” Amend 78.	
Taxpayer Standing	0	n/a	

**Michigan**

Category	Score	Constitutional Provisions	Leading Case Citations
Free Speech	1	Assembly, consultation, instruction, petition, Art. 1, § 3; Freedom of speech and press, Art. 1, § 5.	<i>Levy v. Pontiac</i> , 49 N.W.2d 80, 82-83 (Mich. 1951).

Category	Score	Constitutional Provisions	Leading Case Citations
Property Rights	2	Searches and seizures, Art. 1, § 11; Eminent domain; compensation, Art. 10, § 2.	<i>County of Wayne v. Hathcock</i> , 684 N.W.2d 765 (Mich. 2004).
Substantive Due Process	1	Self-incrimination; due process of law; fair treatment at investigations, Art. 1, § 17; Rights of accused in criminal prosecutions, Art. 1, § 20; Imprisonment for debt, Art. 1, § 21; Common law and statutes, continuance, Art. 3, § 7; Enumeration of rights not to deny others, Art. 1, § 23.	<i>Grocers Dairy Co. v. McIntyre</i> , 138 N.W.2d 767, 771 (Mich. 1966); <i>Shakespeare Co. v. Lippman's Tool Shop Sporting Goods Co.</i> , 54 N.W.2d 268, 269-70 (Mich. 1952); <i>but see In re McEvoy</i> , 267 Mich. App. 55 (Mich.App. 2005); <i>Porter v. City of Highland Park</i> , 2006 WL 1479909 (Mich.App. 2006); <i>Westfall v. McCririe</i> , 2006 WL 827955 (Mich.App. 2006).
Equal Protection	2	Equal protection; discrimination, Art. 1, § 2; Affirmative action programs, Art. 1, § 26.	(High rating due to Anti-Discrimination provision).
General Negative Individual Rights	1	Freedom of worship and religious belief; appropriations, Art. 1, § 4; Bearing of arms, Art. 1, § 6.	
Contracts Clause	1	Attainder; ex post facto laws; impairment of contracts, Art. 1, § 10.	<i>HeaHealthcare Ass'n Worker's Comp. Fund v. Director of the Bureau of Worker's Comp.</i> , 265 Mich. App. 236 (Mich.App. 2005); <i>Detroit Trust Co. v. Stormfeltz-Loveley Co.</i> 257 Mich. 655 (Mich. 1932).
Structural Government Restrictions	1	Attainder; ex post facto laws; impairment of contracts, Art. 1, § 10; Separation of powers of government, Art. 3, § 2; Local and special acts, Art. 4, § 29; Bank & trust company laws, Art. 4, § 43.	
Subsidy Restrictions	1	State credit, Art. 9, § 18; Subscription to or interest in stock by state prohibited; exceptions, Art. 9, § 19.	

Category	Score	Constitutional Provisions	Leading Case Citations
Fiscal Restraints	1	Reductions in expenditures, Art. 5, § 20; Indebtedness; limitation, Art. 7, § 11; Highways, bridges, culverts, airports; road tax limitation, Art. 7 § 16; Income tax, Art. 9, § 7; State borrowing; short term, Art. 9, § 14; Long term borrowing by state, Art. 9, § 15; Voter approval of increased local taxes; prohibitions; emergency conditions; repayment of bonded indebtedness guaranteed; implementation of section, Art. 9, § 25; Limitation on taxes; revenue limit; refunding or transferring excess revenues; exceptions to revenue limitation; adjustment of state revenue and spending limits, Art. 9, § 26; Limitation on expenses of state government, Art. 9, § 28; General appropriation bills; priority, statement of estimated revenue, Art. 4, § 31.	
Taxpayer Standing	2	Suit to enforce sections 25 to 31, Art. 9, § 32.	

**Minnesota**

Category	Score	Constitutional Provisions	Leading Case Citations
Free Speech	0	Liberty of the press, Art. 1, § 3.	<i>State v. Wicklund</i> , 589 N.W.2d 793 (Minn. 1999).
Property Rights	0	Unreasonable searches and seizures prohibited, Art. 1, § 10; Private property for public use, Art. 1, § 13.	<i>City of Duluth</i> , 390 N.W.2d 757 (Minn. 1986).
Substantive Due Process	2	Due process; prosecutions; double jeopardy; self-incrimination; bail; habeas corpus, Art. 1, § 7; Redress of injuries or wrongs Art. 1, § 8; Freedom of conscience; no preference to be given to any religious establishment or mode of worship, Art. 1, § 16.	<i>State v. Russell</i> , 477 N.W.2d 886 (Minn. 1991); <i>Fairmont Foods Co. v. City of Duluth</i> , 110 N.W.2d 155, 159 (Minn. 1961); <i>State ex rel. Pavlik v. Johannes</i> , 259 N.W. 537 (Minn. 1935).

Category	Score	Constitutional Provisions	Leading Case Citations
Equal Protection	2	Rights and privileges, Art. 1, § 2.	<i>Kahn v. Griffin</i> , 701 N.W.2d 815 (Minn. 2005); <i>Nelson v. Peterson</i> , 313 N.W.2d 580 (Minn. 1981); <i>Grassman v. Minnesota Bd. of Barber Examiners</i> , 304 N.W.2d 909 (Minn. 1981); <i>Wegan v. Village of Lexington</i> , 309 N.W.2d 273 (Minn. 1981); <i>State v. Stewart</i> , 529 N.W.2d 493 (Minn.App. 1995).
General Negative Individual Rights	2	Freedom of conscience; no preference to be given to any religious establishment or mode of worship, Art. 1, § 16; No license required to peddle, Art. 13, § 7; Preservation of hunting and fishing, Art. 13, § 12.	<i>State v. Hershberger</i> , 462 N.W.2d 393 (Minn. 1990).
Contracts Clause	0	Attainders, ex post facto laws and laws impairing contracts prohibited, Art. 1, § 11.	<i>Jacobsen v. Anheuser-Busch, Inc.</i> , 392 N.W.2d 868 (Minn. 1986).
Structural Government Restrictions	1	Division of powers, Art. 3, § 1; Laws to embrace only one subject, Art. 4, § 17; Prohibition on special legislation; particular subjects, Art. 12, § 1; Prohibition of combinations to affect markets, Art. 13, § 6.	<i>Council of Independent Tobacco Mfrs. of America v. State</i> , 685 N.W.2d 467 (Minn.App. 2004).
Subsidy Restrictions	1	Credit of the state limited, Art. 11, § 2.	<i>Port Authority of City of St. Paul v. Fisher</i> , 269 Minn. 276 (1964).
Fiscal Restraints	1	Power of taxation; exemptions; legislative powers, Art. 10, § 1; Money paid from State Treasury, Art. 11, § 1; Credit of the state limited, Art. 11, § 2; Public debt and works of internal improvement; purposes, Art. 11, § 5.	
Taxpayer Standing	2	n/a	<i>McKee v. Likinas</i> , 261 N.W.2d 566 (Minn. 1977).

**Mississippi**

<b>Category</b>	<b>Score</b>	<b>Constitutional Provisions</b>	<b>Leading Case Citations</b>
Free Speech	1	Freedom of speech and press; libel, Art. 3, § 13; Peaceful assemblage; right to petition government, Art. 3, § 11.	<i>ABC Interstate Theatres, Inc. v. State</i> , 325 So.2d 123 (Miss. 1976).
Property Rights	2	Taking property for public use; due compensation, Art. 3, § 17; Searches and seizures, Art. 3, § 23.	<i>Mayor v. Thomas</i> , 645 So.2d 940 (Miss. 1994).
Substantive Due Process	1	Government originating in the people, Art. 3, § 5; Due process, Art. 3, § 14; Open courts; remedy for injury, Art. 3, § 24; Open courts; remedy for injury, Art. 3, § 32.	<i>Goodin v. City of Philadelphia</i> , 75 So. 2d 279, 280 (Miss. 1954); <i>Stone v. Reichman-Crosby Co.</i> , 43 So. 2d 184, 190-91 (Miss. 1949); <i>King v. City of Louisville</i> , 42 So. 2d 813, 816 (Miss. 1949); <i>Moore v. Grillis</i> , 39 So. 2d 505, 509, 512 (Miss. 1949); <i>Town of McCool v. Blaine</i> , 11 So. 2d 801, 802 (Miss. 1943); <i>Saucier v. Life &amp; Cas. Ins. Co. of Tenn.</i> , 198 So. 625, 629 (Miss. 1940); <i>but see Hopson v. Mississippi State Parole Bd.</i> , 976 So.2d 973 (Miss.App. 2008); <i>State v. Jones</i> , 726 So.2d 572 (Miss. 1998).
Equal Protection	0	n/a	
General Negative Individual Rights	1	Right to bear arms, Art. 3, § 12.	
Contracts Clause	1	Ex post facto laws; impairment of contract, Art. 3, § 16.	
Structural Government Restrictions	1	Powers of government Art. 1, § 1; Special or local laws, Art. 4, § 87-89; Matters provided for by general laws only, Art. 4, § 90; “The legislature shall not pass local, private, or special laws...,” Art. 6, § 90(r).	
Subsidy Restrictions	1	Donation or sale of state lands; railroad easements, Art. 4, § 95.	

Category	Score	Constitutional Provisions	Leading Case Citations
Fiscal Restraints	1	Equal taxation; property tax assessments, Art. 4, § 112; Fiscal year; report of transactions; bonded indebtedness limitation, Art. 4, § 115.	
Taxpayer Standing	2	n/a	<i>Van Slyke v. Board of Trustees of State Institutions of Higher Learning</i> , 613 So.2d 872 (Miss.1993).

### Missouri

Category	Score	Constitutional Provisions	Leading Case Citations
Free Speech	1	Freedom of speech, Art. 1, § 8; Right of peaceable assembly and petition, Art. 1, § 9.	
Property Rights	0	Unreasonable search and seizure prohibited – contents and basis of warrants, Art. 1, § 15; Compensation for property taken by Eminent domain, Art. 1, § 26; Limitation on taking private property for public use, Art. 1, § 28; Treason – attainder – corruption of blood and forfeitures – estate of suicides – death by casualty, Art. 1, § 30; Reclamation of blighted, substandard or insanitary areas, Art. 6, § 21.	<i>State ex rel. Buchanan County Power Transmission Co. v. Baker</i> , 9 S.W.2d 589 (Mo. 1928).
Substantive Due Process	0	Promotion of general welfare – natural rights of persons – equality under the law – purpose of government, Art. 1, § 2; Due process of law, Art. 1, § 10; Habeas Corpus, Art. 1, § 12; Rights of accused in criminal prosecutions, Art. 1, § 18a; Crime victims’ rights, Art. 1, § 32.	<i>Linton v. Missouri Veterinary Medical Board</i> , 988 S.W.2d 513 (Mo. 1999); <i>State v. Pike</i> , 162 S.W.3d 464 (Mo. 2005); <i>Psychiatric Healthcare Corp. v. Dept. of Social Services</i> , 100 S.W.3d 891 (Mo.App. W.D. 2003); <i>but see Heil v. Kauffman</i> , 189 S.W.2d 276, 278 (Mo. 1945).
Equal Protection	1	Promotion of general welfare – natural rights of persons – equality under the law – purpose of government, Art. 1, § 2; Promotion of general welfare – natural rights of persons – equality under the law – purpose of government, Art. 4, § 2.	<i>State, on Inf. of Taylor v. Currency Services, Inc.</i> , 218 S.W.2d 600, 604 (Mo. 1949).

Category	Score	Constitutional Provisions	Leading Case Citations
General Negative Individual Rights	1	Religious freedom – liberty of conscience and belief – limitations, Art. 1, § 5; Right to keep and bear arms; exceptions, Art. 1, § 23.	<i>Oliver v. State Tax Com’n of Missouri</i> , 37 S.W.3d 243 (Mo. 2001); <i>Taylor v. McNeal</i> , 523 S.W.2d 148 (Mo.App. 1975).
Contracts Clause	1	Ex post facto laws – impairment of contracts – irrevocable privileges, Art. 1, § 13.	
Structural Government Restrictions	2	Ex post facto laws – impairment of contracts – irrevocable privileges, Art. 1, § 13; Three departments of government – separation of powers, Art. 2, § 1; Limitation on introduction of bills, Art. 3, § 25; Limitations on passage of local and special laws, Art. 3, § 40; Notice of proposed local or special laws, Art. 3, § 42; Exclusion of State from banking, Art. 11, § 13.	<i>Borden Co. v. Thomason</i> , 353 S.W.2d 735 (Mo. 1962); <i>City of Springfield v. Sprint Spectrum, L.P.</i> , 203 S.W.3d 177 (Mo. 2006).
Subsidy Restrictions	1	Limitations on use of state funds and credit..., Art. 3, § 38; Limitation on ownership of corporate stock, use of credit and grants of public funds by local governments, Art. 6 § 23; Limitation on use of credit and grant of public funds by local governments – pensions and retirement plans for employees of certain cities and counties, Art. 6, § 25; Limitation on indebtedness of local governments without popular vote, Art. 6, § 26.	
Fiscal Restraints	1	Limitations on state debt and bond issues, Art. 3, § 37; Limitations on local tax rates, Art. 10, § 11b; State taxing and spending to be limited..., Art. 10, § 16; Limitation on taxes which may be imposed by general assembly – exclusions – refund of excess revenue adjustments authorized, Art. 10, § 18; Limit on state expenses, Art. 10, § 20.	
Taxpayer Standing	2	n/a	<i>State ex rel. City of Desloge v. St. Francis</i> , 245 S.W.3d 855 (Mo.App. E.D. 2007).

## Montana

Category	Score	Constitutional Provisions	Leading Case Citations
Free Speech	2	Freedom of speech, expression, and press, Art. 2, § 7.	<i>C&amp;C Plywood Corp. v. Hanson</i> , 420 F.Supp. 1254 (D.C.Mont. 1976); <i>Mt. Chamber of Commerce v. Argenbright</i> , 28 F.Supp.2d 593 (1998); <i>Montana Auto. Ass'n v. Greely</i> , 632 P.2d 300 (Mont. 1981).
Property Rights	0	Searches & seizures, Art. 2, § 11; Eminent domain, Art. 2, § 29; <i>but see</i> Mont. Const. Art. 2, § 3.	<i>McCabe Petroleum Corp. v. Easement and Right-of-Way Across Tp. 12 North, Range 23 East</i> 320 Mont. 384, 87 P.3d 479 (2004); <i>City of Bozeman on Behalf of Dept. of Transp. of State of Mont. v. Vaniman</i> , 271 Mont. 514, 898 P.2d 1208 (1995); <i>but see Buhmann v. State</i> , 348 Mont. 205, 201 P.3d 70 (2008); <i>Montana Environmental Information Center v. Department of Environmental Quality</i> , 305 Mont. 513, 29 P.3d 1011 (1999).
Substantive Due Process	2	Inalienable rights, Art. 2, § 3; Due process of law, Art. 2, § 17; Unenumerated rights, Art. 2, § 34.	<i>Wadsworth v. State</i> , 911 P.2d 1165, 1174 (Mont. 1996); <i>State ex rel. Schultz-Lindsay Const. Co. v. State Bd. of Equalization</i> , 403 P.2d 635, 646 (Mont. 1965); <i>Garden Spot Mkt., Inc. v. Byrne</i> , 378 P.2d 220, 231 (Mont. 1963); <i>State v. Canfield</i> , 277 P.2d 534, 534 (Mont. 1954); <i>State v. Gleason</i> , 277 P.2d 530, 533-34 (Mont. 1954); <i>Brackman v. Kruse</i> , 199 P.2d 971, 978 (Mont. 1948).
Equal Protection	1	Individual dignity, Art. 2, § 4.	

<b>Category</b>	<b>Score</b>	<b>Constitutional Provisions</b>	<b>Leading Case Citations</b>
General Negative Individual Rights	2	Freedom of religion, Art. 2, § 5; Right of privacy, Art. 2, § 10; Right to bear arms, Art. 2, § 12; Preservation of harvest heritage, Art. 9, § 7.	<i>Armstrong v. State</i> , 989 P.2d 364 (Mont. 1999); <i>Gryczan v. State</i> , 942 P.2d 112 (1997); <i>Union Carbide &amp; Carbon Corp. v. Skaggs Drug Ctr., Inc.</i> , 359 P.2d 644, 654 (Mont. 1961).
Contracts Clause	0	Ex post facto, obligation of contracts, and irrevocable privileges, Art. 2, § 31.	<i>Buckman v. Montana Deaconess Hosp.</i> , 224 Mont. 318 (1986); <i>Neel v. First Federal Sav. and Loan Assoc.</i> , 675 P.2d 96 (Mont.1984); <i>Cape-France Enterprises v. Peed</i> , 305 Mont. 513, 29 P.3d 1011 (2001).
Structural Government Restrictions	1	Separation of powers, Art. 3, § 1; Bills, Art. 5, § 11; Local & special legislation, Art. 5, § 12.	
Subsidy Restrictions	0	n/a	
Fiscal Restraints	1	Tax purposes, Art. 8, § 1; Tax power inalienable. Art. 8 § 2; State debt, Art. 8, § 8 ; Balanced budget, Art. 8, § 9.	
Taxpayer Standing	1		<i>Sharkey v. Butte</i> , 52 Mont. 16 (Mont. 1916).

**Nebraska**

<b>Category</b>	<b>Score</b>	<b>Constitutional Provisions</b>	<b>Leading Case Citations</b>
Free Speech	0	Free speech & press, Art. 1, § 5; Right of peaceable assembly and to petition government, Art. 1, § 19.	<i>State v. Hookstra</i> , 638 N.W.2d 829 (Neb. 2002).
Property Rights	2	Search & seizure, Art. 1, § 7; Penalties; corruption of blood; transporting out of state prohibited, Art. 1, § 15; Private property compensated for, Art. 1, § 21; Rights of property; no discrimination; aliens, Art. 1, § 25; Eminent domain, Art. 10, § 6.	<i>United States Brewers' Ass'n, Inc. v. State</i> , 192 Neb. 328, 220 N.W.2d 544, 549 (Neb. 1974).

Category	Score	Constitutional Provisions	Leading Case Citations
Substantive Due Process	1	Statement of rights, Art. 1, § 1; Due process of law, Art. 1, § 3; Rights of accused, Art. 1, § 11; Justice administered without delay, Art. 1, § 13; Powers retained by the people, Art. 1, § 26.	<i>Gillette Dairy, Inc. v. Neb. Dairy Prods. Bd.</i> , 219 N.W.2d 214, 221 (Neb. 1974); <i>Terry Carpenter, Inc. v. Wood</i> , 129 N.W.2d 475, 481 (Neb. 1964); <i>Lincoln Dairy Co. v. Finigan</i> , 104 N.W.2d 227, 234-35 (Neb. 1960); <i>McGraw Elec. Co. v. Lewis &amp; Smith Drug Co.</i> , 159 Neb. 703, 721-22, 68 N.W.2d 608, 618 (Neb. 1955); <i>but see Citizens of Decatur for Equal Education v. Lyons-Decatur Sch. Dist.</i> , 274 Neb. 278, 739 N.W.2d 742 (2007).
Equal Protection	1	Bill of attainder; retroactive laws; contracts; special privileges, Art. 1, § 16.	
General Negative Individual Rights	1	Religious freedom, Art. 1, § 4; Right to divert unappropriated water, Art. 15, § 6; Labor organizations; no denial of employment; closed shop not permitted, Art. 15, § 13.	
Contracts Clause	1	Bill of attainder; retroactive laws; contracts; special privileges, Art. 1, § 16.	
Structural Government Restrictions	2	Bill of attainder; retroactive laws; contracts; special privileges, Art. 1, § 16; Local or special laws prohibited, Art. 3, § 18; Legislative, executive, judicial, Art. 2, § 1.	<i>Michelle Hug &amp; Henstock, Inc. v. City of Omaha</i> , 275 Neb. 820, 749 N.W.2d 884 (Neb. 2008).
Subsidy Restrictions	2	Subscription to stock prohibited, Art. 11, § 1; Credit of state; exception, Art. 13, § 3.	<i>Haman v. Marsh</i> , 467 N.W.2d 836; 237 Neb. 699 (Neb. 1991); <i>State ex rel. Beck v. City of York</i> , 82 N.W.2d 269, 164 Neb. 223 (Neb. 1957).
Fiscal Restraints	1	County taxes; limitation, Art. 8, § 5; Funding indebtedness; warrants, Art. 8 § 8.	
Taxpayer Standing	2		<i>Cunningham v. Exxon</i> , 202 Neb. 563, 276 N.W.2d 213 (1979).

**Nevada**

<b>Category</b>	<b>Score</b>	<b>Constitutional Provisions</b>	<b>Leading Case Citations</b>
Free Speech	1	Liberty of speech and the press, Art. 1, § 9.	
Property Rights	1	Rights of accused in criminal prosecutions; jeopardy; rights of victims of crime; due process of law; eminent domain, Art. 1, § 8; Unreasonable seizure and search; issuance of warrants, Art. 1, § 18; Eminent domain by corporations, Art. 8, § 7.	<i>McCarran Intern. Airport v. Sisolak</i> , 122 Nev. 645, 137 P.3d 1110 (Nev. 2006).
Substantive Due Process	1	Inalienable rights, Art. 1, § 1; Rights of accused in criminal prosecutions; jeopardy; rights of victims of crime; due process of law; eminent domain, Art. 1, § 8; Rights retained by people, Art. 1, § 20.	<i>In re Martin</i> , 88 Nev. 666, 504 P.2d 14, 16 (Nev. 1972); <i>Zale-Las Vegas, Inc. v. Bulova Watch Co.</i> , 396 P.2d 683, 693 (Nev. 1964).
Equal Protection	0	Inalienable rights, Art. 1, § 1.	<i>Sereika v. State</i> , 114 Nev. 142, 955 P.2d 175 (Nev. 1998).
General Negative Individual Rights	1	Liberty of conscience, Art. 1, § 4; Right to keep and bear arms; civil power supreme, Art. 1, § 11.	
Contracts Clause	1	Bill of attainder; ex post facto law; obligation of contract, Art. 1, § 15.	
Structural Government Restrictions	1	Three separate departments; separation of powers; legislative review of administrative regulations, Art. 3, § 1; Act to embrace one subject only; title; amendment, Art. 4, § 17; Certain local and special laws prohibited, Art. 4, § 20; General laws to have uniform application, Art. 4, § 21.	
Subsidy Restrictions	1	Gifts or loans of public money to certain corporations prohibited, Art. 8, § 9; Loans of public money to or ownership of stock in certain corporations by county or municipal corporation prohibited, Art. 8, § 10.	

Category	Score	Constitutional Provisions	Leading Case Citations
Fiscal Restraints	1	Annual tax for state expenses; trust funds for industrial accidents; occupational diseases and public employees' retirement system; administration of public employees' retirement system, Art. 9 § 2; State indebtedness; Limitations and exceptions, Art. 9, § 3; Total tax levy for public purposes limited, Art. 10, § 2.	
Taxpayer Standing	0	n/a	<i>Worldcorp v. State</i> , 113 Nev 1032, 944 P.2d 824 (Nev. 1997).

### New Hampshire

Category	Score	Constitutional Provisions	Leading Case Citations
Free Speech	1	Free speech; liberty of the press, Part 1, Art. 22.	<i>Opinion of the Justices</i> , 121 N.H. 542, 431 A.2d 152 (N.H. 1981).
Property Rights	2	Natural Rights, Part 1, Art. 2; Power to take property limited, Part 1, Art. 12-a; Searches and Seizures regulated, Part 1, Art. 19.	<i>Caspersen v. Town of Lyme</i> , 139 N.H. 637, 661 A.2d 759 (1995); <i>Merrill v. City of Manchester</i> , 127 N.H. 234, 499 A.2d 216 (N.H. 1985).
Substantive Due Process	1	Natural rights, Part 1, Art. 2; Right of accused, Part 1, Art. 15.	Compare <i>Caspersen v. Town of Lyme</i> , 139 N.H. 637, 661 A.2d 759 (1995) with <i>Appeal of Trotzer</i> , 143 N.H. 64, 719 A.2d 584 (N.H. 1998); <i>Bragg v. Director, N.H. Div. of Motor Vehicles</i> , 141 N.H. 677, 690 A.2d 571 (1977); <i>State v. Moore</i> , 91 N.H. 16, 13 A.2d 143, 148 (N.H. 1940).
Equal Protection	2	Equality of men; origin and object of government, Part 1, Art. 1; Natural rights, Part 1, Art. 2 is most cited.	<i>Dow v. Town of Effingham</i> , 803 A.2d 1059, 1065 (2002); <i>Quirk v. Town of New Boston</i> , 663 A.2d 1328 (1995); <i>Town of Chesterfield v. Brooks</i> , 489 A.2d 600 (1985).

<b>Category</b>	<b>Score</b>	<b>Constitutional Provisions</b>	<b>Leading Case Citations</b>
General Negative Individual Rights	1	The bearing of arms, Part 1, Art. 2-a; Religious freedom recognized, Part 1, Art. 5.	
Contracts Clause	0	n/a	
Structural Government Restrictions	1	Separation of Powers, Part 1, Art. 37.	
Subsidy Restrictions	0	n/a	
Fiscal Restraints	0	Mandated programs, Part 1, Art. 28-a.	
Taxpayer Standing	2	n/a	<i>Grinnell v. State</i> , 435 A.2d 523 (N.H. 1981).

**New Jersey**

<b>Category</b>	<b>Score</b>	<b>Constitutional Provisions</b>	<b>Leading Case Citations</b>
Free Speech	1	“Every person may freely speak, write and publish...,” Art. 1, § 6.	<i>State v. Boston Juvenile Shoes</i> , 288 A.2d 7, 11 (N.J. 1972).
Property Rights	1	“The right of the people...against unreasonable searches and seizures shall not be violated,” Art. 1, § 7; “Private property shall not be taken for public use without just compensation,” Art. 1, § 20.	

Category	Score	Constitutional Provisions	Leading Case Citations
Substantive Due Process	1	“All persons are by nature free and independent and have certain unalienable rights...,” Art. 1, § 1; “Enumerated...rights...shall not be construed to...deny others” Art. 1, § 21.	<i>Visiting Homemaker Service of Hudson County v. Board of Chosen Freeholders of the County of Hudson</i> , 883 A.2d 1074 (2005); <i>Greenberg v. Kimmelman</i> , 494 A.2d 294 (1985) (Distinguished by <i>Lewis v. Harris</i> , 378 N.J.Super. 168, 875 A.2d 259 (2005); <i>Lakewood Express Serv. v. Bd. of Pub. Utility Comm’rs</i> , 61 A.2d 730, 734 (N.J. 1948); <i>but see Secure Heritage, Inc. v. City of Cape May</i> , 825 A.2d 534 (App. 2003); <i>Studio 54 Discotheque, Inc. v. City of Union City</i> , 2008 WL 583795 (App. 2008) (not reported in A.2d).
Equal Protection	1	“No person shall be...discriminated against in the exercise of any civil or military right,” Art. 1, § 5.	<i>Bd. of Examiners of Elec. Contractors v. S.T. Peterson &amp; Co.</i> , 106 N.J.Super. 599, 256 A.2d 330 (N.J. App. 1969).
General Negative Individual Rights	1	“No person shall be deprived of the inestimable privilege of worshipping Almighty God...,” Art. 1, § 3.	
Contracts Clause	0	“The Legislature shall not pass any...law impairing the obligation of contracts,” Art. 4, § 7, paragraph 3.	<i>Wells Fargo Bank v. Kelly</i> , 2005 WL 3098936 (N.J. Super. Ch., 2005) (Not reported in A.2d).
Structural Government Restrictions	1	“The powers of the government shall be divided among three distinct branches...,” Art. 3, § 1; “Every law shall embrace but one object, and that shall be expressed in the title,” Art. 4, § 7, paragraph 4; No private, special or local law shall be passed unless public notice...”, Art. 4, § 7, paragraph 8; “The Legislature shall not pass any private, special or local laws,” Art. 4, § 7, paragraph 9.	<i>Brown v. State</i> , 356 N.J. Super 71, 811 A.2d 501 (N.J. 2002); <i>City of Jersey City v. Farmer</i> , 746 A.2d 1018 (N.J. 2000).

Category	Score	Constitutional Provisions	Leading Case Citations
Subsidy Restrictions	1	“The credit of the State shall not be directly or indirectly loaned in any case,” Art. 8, § 2, paragraph 1; “No county, city...shall...give any money or property...in aid of any individual, association or corporation,” Art. 8, § 3, paragraph 2; “No donation of land or...money... shall be made by the State...to...any society, association or corporation whatever,” Art. 8, § 3, paragraph 3.	<i>Whelan v. New Jersey Power &amp; Light Co.</i> , 45 N.J. 237, 212 A.2d 136 (1965); <i>New Jersey State Bar Ass’n v. State</i> , 382 N.J. Super 284, 888 A.2d 526 (2005).
Fiscal Restraints	1	“Property shall be assessed for taxation under general laws and by uniform rules,” Art. 8 § 1, paragraph 1(a); “No money shall be drawn from the State treasury but for appropriations made by law,” Art. 8, § 2, paragraph 2; “The Legislature shall not, in any manner, create in any fiscal year a debt,” Art. 8, § 2, paragraph 3.	
Taxpayer Standing	1	n/a	<i>2nd Roc-Jersey Associates v. Town of Morrison</i> , 158 N.J. 581, 731 A.2d 1 (N.J. 1999).

**New Mexico**

Category	Score	Constitutional Provisions	Leading Case Citations
Free Speech	1	Freedom of speech and press; libel, Art. 2, § 17.	
Property Rights	0	Searches and seizures, Art. 2, § 10; Eminent domain, Art. 2, § 20.	<i>Moriarty Sch. Dist. Bd. of Educ. V. Thunder Mountain Water Co.</i> , 141 N.M. 824, 161 P.3d 869 (2007).
Substantive Due Process	1	Popular sovereignty, Art. 2, § 2; Inherent rights, Art. 2, § 4; Due process; equal protection; sex discrimination, Art. 2, § 18; Reserved rights, Art. 2, § 23.	<i>Drink, Inc. v. Babcock</i> , 77 N.M. 277, 421 P.2d 798, 803 (N.M. 1966); <i>Skaggs Drug Ctr. v. Gen. Elec. Co.</i> , 63 N.M. 215, 315 P.2d 967, 974 (N.M. 1957); <i>but see Marrujo v. New Mexico State Highway Transp. Dept.</i> , 118 N.M. 753, 887 P.2d 747 (1994).

Category	Score	Constitutional Provisions	Leading Case Citations
Equal Protection	1	Due process; equal protection; sex discrimination, Art. 2, § 18; Grant of franchise or privilege, Art. 4, § 26.	
General Negative Individual Rights	1	Right to bear arms, Art. 2, § 6; Freedom of religion, Art. 2, § 11.	
Contracts Clause	1	Retroactive laws; bills of attainder; impairment of contracts, Art. 2, § 19.	<i>Rubalcava v. Garst</i> , 53 N.M. 295, 206 P.2d 1154 (1949).
Structural Government Restrictions	1	Retroactive laws; bills of attainder; impairment of contracts, Art. 2, § 19; Separation of departments; establishment of workers compensation body, Art. 3, § 1; Local or special laws, Art. 4, § 24; Monopolies, Art. 4, § 38.	
Subsidy Restrictions	1	Aid to private enterprise; veterans' scholarship program; student loans; job opportunities; affordable housing, Art. 9, § 14.	
Fiscal Restraints	1	Laws creating debt, Art. 4 § 29; Property tax limits; exception, Art. 8, § 2; State indebtedness; purposes, Art. 9, § 7; State indebtedness; restrictions, Art. 9, § 8; County indebtedness; restrictions, Art. 9, § 10; School district indebtedness, Art. 9, § 11; Municipal indebtedness; restrictions, Art. 9, § 12; County and municipal debt limit; exceptions, Art. 9, § 13.	
Taxpayer Standing	0	n/a	<i>Forest Guardians v. Powell</i> , 130 N.M. 368, 24 P.3d 803 (App. 2001).

**New York**

<b>Category</b>	<b>Score</b>	<b>Constitutional Provisions</b>	<b>Leading Case Citations</b>
Free Speech	0	Freedom of speech and press; criminal prosecutions for libel, Art. 1, § 8; Right to assemble and petition, Art. 1, § 9.	<i>Quinn v. Aetna Life and Cas. Co.</i> , 96 Misc.2d 545, 409 N.Y.S.2d 473 (1978).
Property Rights	0	Just compensation for taking private property, Art. 1, § 7; Security against unreasonable searches, seizures and interceptions, Art. 1, § 12.	76 Fordham L.Rev. 1121.
Substantive Due Process	1	Rights, privileges, and franchise secured; uncontested primary elections, Art. 1, § 1; Grand jury; waiver of indictment; right to counsel; informed accused; double jeopardy; self-incrimination; waiver of immunity by public officers; due process of law, Art. 1, § 6; Common law and acts of state legislatures, Art. 1, § 14.	<i>Defiance Milk Prods. Co. v. DuMond</i> , 132 N.E.2d 829, 831 (N.Y. 1956).
Equal Protection	1	Rights, privileges and franchise secured, Art. 1, § 1; Equal protection of laws; discrimination in civil rights prohibited, Art. 1, § 11.	
General Negative Individual Rights	1	Freedom of worship; religious liberty, Art. 1, § 3.	
Contracts Clause	0	n/a	
Structural Government Restrictions	1	Private or local bills to embrace only one subject to be expressed in title, Art. 3, § 15; Cases in which private or local bills shall not be passed, Art. 3, § 17; Two-thirds bills, Art. 3, § 20; Savings bank charters; restrictions on trustees; special charters not to be granted, Art. 10, § 3.	
Subsidy Restrictions	0	Gift or loan of state credit or money prohibited, Art. 7, § 8; Gift or loan or credit of local subdivisions prohibited; exceptions for enumerated purposes, Art. 8, § 1.	<i>Ausable Chasm Co. v. State</i> , 194 N.E. 843, 266 N.Y. 326 (1935).

<b>Category</b>	<b>Score</b>	<b>Constitutional Provisions</b>	<b>Leading Case Citations</b>
Fiscal Restraints	1	Tax laws to state tax and object distinctly; exception, Art. 3 § 22; Restriction on content of appropriations bills, Art. 7, § 6; State debts generally; manner of contracting; referendum, Art. 7, § 11; Restrictions on indebtedness of local subdivisions; contracting and payment of local indebtedness; exceptions, Art. 8, § 2; Limit on local indebtedness, Art. 8, § 4; Power of taxation; exemptions from taxation, Art. 16, § 1.	
Taxpayer Standing	1	n/a	<i>Humane Society of U.S. v. Empire State Development Co.</i> , 53 A.D.3d 1013, 863 N.Y.S.2d 107 (2008).

**North Carolina**

<b>Category</b>	<b>Score</b>	<b>Constitutional Provisions</b>	<b>Leading Case Citations</b>
Free Speech	1	Free speech and press, Art. 1, § 14.	
Property Rights	0	Law of the land; equal protection of the laws, Art. 1, § 19.	

<b>Category</b>	<b>Score</b>	<b>Constitutional Provisions</b>	<b>Leading Case Citations</b>
Substantive Due Process	2	The equality and rights of persons, Art. 1, § 1; Courts shall be open, Art. 1, § 18; Law of the land; equal protection of the laws, Art. 1, § 19; Recurrence to fundamental principles, Art. 1, § 35; Inquiry into restraints on liberty, Art. 1, § 21; Other rights of the people, Art. 1, § 36.	<i>Treants Enters., Inc. v. Onslow County</i> , 360 S.E.2d 783, 786 (N.C. 1987); <i>Hartford Acc. &amp; Indem. Co. v. Ingram</i> , 226 S.E.2d 498, 506 (N.C. 1976); <i>Bulva Watch Co. v. Brand Distrib., Inc.</i> , 206 S.E.2d 141, 151 (N.C. 1974); <i>In re Certificate of Need for Aston Park Hosp., Inc.</i> , 193 S.E.2d 729 (N.C. 1973); <i>State ex rel. Utilities Com. v. Atl. Greyhound Corp.</i> , 113 S.E.2d 57, 61 (N.C. 1960); <i>Roller v. Allen</i> , 96 S.E.2d 851, 859 (N.C. 1957); <i>State v. Balance</i> , 229 N.C. 764, 51 S.E.2d 731, 736 (N.C. 1949); <i>State v. Harris</i> , 6 S.E.2d 854, 886 (N.C. 1940); <i>London v. Headen</i> , 76 N.C. 72, 1877 WL 2646 (1877); <i>but see N.C. Bd. of Mortuary Science v. Crown Memorial Park</i> 162 N.C.App. 316, 590 S.E.2d 467 (App. 2004).
Equal Protection	1	The equality and rights of persons, Art. 1, § 1; Law of the land; equal protection of the laws, Art. 1, § 19.	<i>Motley v. State Bd. of Barber Examiners</i> , 228 N.C. 337, 45 S.E.2d 550 (1947).
General Negative Individual Rights	2	Religious liberty, Art. 1, § 13; Militia and the right to bear arms, Art. 1, § 30; General warrants, Art. 1, § 20; Perpetuities and monopolies, Art. 1, § 34;	<i>In re Williams</i> , 269 N.C. 68, 152 S.E.2d 317 (1967).
Contracts Clause	1	Ex post facto laws, Art. 1, § 16.	
Structural Government Restrictions	1	Perpetuities and monopolies, Art. 1, § 34. Limitations on local, private, and special legislation, Art. 2, § 24; Acts levying taxes to state objects, Art. 5, § 5; Separation of Power, Art. 1, § 6.	

Category	Score	Constitutional Provisions	Leading Case Citations
Subsidy Restrictions	1	Limitations upon the increase of State debt, Art. 5, § 3; State and local taxation, Art. 5, § 2.	
Fiscal Restraints	1	State and local taxation, Art. 5 § 2; Balanced budget, Art. 3, § 3 (3).	
Taxpayer Standing	2	n/a	<i>Barnhill Sanitation Service, Inc. v. Gaston County</i> , 87 N.C.App 532, 362 S.E.2d 161 (App. 1987).

### North Dakota

Category	Score	Constitutional Provisions	Leading Case Citations
Free Speech	1	“Every man may freely write, speak and publish his opinions,” Art. 1, § 4; “The citizens have a right...to assemble,” Art. 1, § 5.	<i>Snortland v. Crawford</i> , 306 N.W.2d 614 (N.D. 1981).
Property Rights	1	“The right of the people to be secure in their persons...against unreasonable searches and seizures shall not be violated,” Art. 1, § 8; “Private property shall not be taken...for public use without just compensation...,” Art. 1, § 16; “The exercise of the right of eminent domain shall never be abridged,” Art. 12, § 5.	<i>Square Butte Elec. Co-Op v. Hilken</i> , 244 N.W.2d 519 (N.D. 1976).

Category	Score	Constitutional Provisions	Leading Case Citations
Substantive Due Process	1	<p>“All individuals are by nature equally free and independent...,” Art. 1, § 1;</p> <p>“All political power is inherent in the people,” Art. 1, § 2;</p> <p>“All courts shall be open,” Art. 1, § 9;</p> <p>“Nor be deprived of life, liberty or property without due process of law,” Art. 1, § 12.</p>	<p><i>Dickie v. Farmers Union Oil Co. of LaMoure</i>, 611 N.W.2d 168 (N.D. 2000); <i>Johnson v. Hassett</i>, 217 N.W.2d 771 (N.D.1974); <i>Christman v. Emineth</i>, 212 N.W.2d 543 (N.D. 1973); <i>Coal Harbor Stock Farm, Inc. v. Meier</i>, 191 N.W.2d 583 (N.D. 1971); <i>Walleggham v. Thompson</i>, 185 N.W.2d 649 (N.D. 1971); <i>In re Estate of Jensen</i>, 162 N.W.2d 861 (N.D. 1968); <i>Melland v. Johanneson</i>, 160 N.W.2d 107 (N.D. 1968); <i>Montana-Dakota Utilities Co. v. Johanneson</i>, 153 N.W.2d 414 (N.D. 1967); <i>State v. Miller</i>, 129 N.W.2d 356 (N.D.1964); <i>Fairmont Foods v. Burgum</i>, 81 N.W.2d 639, 647 (N.D. 1957); <i>State v. E.W.Wylie Co.</i>, 58 N.W.2d 76 (N.D.1953); <i>Fradet v. City of Southwest Fargo</i>, 59 N.W.2d 871 (N.D. 1953); <i>F. W. Woolworth Co. v. Gray</i>, 46 N.W.2d 295 (N.D. 1951); <i>Herr v. Rudolf</i>, 75 N.D. 91, 25 N.W.2d 916 (N.D. 1947); <i>State v. Cromwell</i>, 9 N.W.2d 914 (N.D. 1943); <i>but see Hoffner v. Johnson</i>, 660 N.W.2d 909 (N.D. 2003); <i>Johnson v. Elkin</i>, 263 N.W.2d 123 (N.D. 1978).</p>
Equal Protection	1	<p>“All individuals are by nature equally free and independent,” Art. 1, § 1;</p> <p>“No special privileges or immunities shall ever be granted...,” Art. 1, § 21;</p> <p>“All laws of a general nature shall have a uniform operation,” Art. 1, § 22.</p>	<p><i>Metro Life Ins. Co. v. Commissioner of Dept. of Ins.</i>, 373 N.W.2d 399 (N.D. 1985); <i>but see N.D. Council of School Administrators v. Sinner</i>, 458 N.W.2d 280 (N.D. 1990).</p>

Category	Score	Constitutional Provisions	Leading Case Citations
General Negative Individual Rights	1	“The free exercise and enjoyment of religious profession and worship... shall forever be guaranteed in this state,” Art. 1, § 3; “Every citizen of this state shall be free to obtain employment...,” Art. 1, § 7.	<i>State v. Ricehill</i> , 415 N.W.2d 481 (N.D. 1987).
Contracts Clause	1	“No...law impairing the obligation of contracts shall ever be passed,” Art. 1, § 18.	<i>Fairmont Foods Co. v. Burgum</i> , 81 N.W.2d 639 (N.D. 1957); <i>State ex rel. Cleveringa v. Klein</i> , 63 N.D. 514 (N.D. 1933).
Structural Government Restrictions	1	“No bill may embrace more than one subject...,” Art. 4, § 13; “Any combination...having for its... effect the controlling of the price of any product...is prohibited,” Art. 12, § 16.	<i>SunBehm Gas, Inc. v. Conrad</i> , 310 N.W.2d 766 (N.D. 1981); <i>Best Products Co. v. Spaeth</i> , 461 N.W.2d 91 (N.D. 1980).
Subsidy Restrictions	1	“Neither the state nor any political subdivision shall...make donations to or in aid of any individual, association, or corporation...,” Art. 10, § 18.	
Fiscal Restraints	1	“The legislative assembly shall be prohibited from raising revenue... through the levying of a tax on the assessed value of real or personal property...,” Art. 10 § 1; “The state may issue or guarantee the payment of bonds...,” Art. 10, § 13; “The debt of any...political subdivision shall never exceed five per centum upon the assessed value of the taxable property therein,” Art. 10, § 15.	<i>Compare Haughland v. City of Bismarck</i> , 429 N.W.2d 449 (N.D. 1988) <i>with State ex rel. Lesmeister v. Olson</i> , 354 N.W.2d 690 (N.D. 1984).
Taxpayer Standing	1	n/a	<i>Teigen v. State</i> , 749 NW2d 505 (N.D. 2008).

## Ohio

Category	Score	Constitutional Provisions	Leading Case Citations
Free Speech	0	Right to assemble, Art. 1, § 3; Free speech; of the press; of libels, Art. 1, § 11.	<i>Cincinnati Arts Assn. v. Jones</i> , 777 N.E.2d 346 (Ohio 2002); <i>Stefano &amp; Associates, Inc. v. Global Lending Group</i> , 2008 WL 186638 (Ohio App. 2008).

<b>Category</b>	<b>Score</b>	<b>Constitutional Provisions</b>	<b>Leading Case Citations</b>
Property Rights	2	Search warrants and general warrants, Art. 1, § 14; Inviolability of private property, Art. 1, § 19.	<i>Norwood v. Horney</i> , 110 Ohio St.3d 353, 853 N.E.2d 1115 (2006); <i>Hausman v. City of Dayton</i> , 653 N.E.2d 1190, 1196 (Ohio 1995); <i>Jones v. Bontempo</i> , 32 N.E.2d 17, 18 (Ohio 1941).
Substantive Due Process	1	Inalienable Rights, Art. 1, § 1; Right to alter, reform, or abolish government, and repeal special privileges, Art. 1, § 2; Redress in courts (due process), Art. 1, § 16; Powers reserved to the people, Art. 1, § 20.	<i>Union Carbide &amp; Carbon Corp. v. Bargain Fair, Inc.</i> , 147 N.E.2d 481, 484 (Ohio 1958); <i>Frost Bar v. City of Shaker Heights</i> , 141 N.E.2d 245, 246 (Ohio 1956); <i>Frecker v. Dayton</i> , 90 N.E.2d 851, 854 (Ohio 1950).
Equal Protection	0	Right to alter, reform, or abolish government (equal protection and no special privileges), Art. 1, § 2.	<i>Desenco, Inc. v. Akron</i> , 84 Ohio St. 3d 535 (Ohio 1999); <i>Barnsville Educ. Ass'n v. Barnsville Exempted Village Sch. Dist. Bd. of Educ.</i> , 2007 WL 745095 (Ohio 2007).
General Negative Individual Rights	2	Right to assemble, Art. 1, § 3; Rights of conscience; education; the necessity of religion and knowledge, Art. 1, § 7; Bearing arms; standing armies; military powers, Art. 1, § 4.	505 N.E.2d 505 <i>U.S. v. Warin</i> , 530 F.2d 103 (6th Cir. 1976).
Contracts Clause	1	Retroactive laws (impairment of contracts), Art. 2, § 28.	
Structural Government Restrictions	2	What laws to have a uniform operation, Art. 2, § 26; Retroactive laws, Art. 2, § 28; Corporate powers, Art. 13, § 1.	
Subsidy Restrictions	1	Credit of state; the state shall not become joint owner or stockholder, Art. 8 § 4; Counties, cities, towns, or townships, not authorized to become stockholders, Art. 8, § 6.	

Category	Score	Constitutional Provisions	Leading Case Citations
Fiscal Restraints	2	<p>Powers; limitation of use (Initiative and referendum shall not be used to levy different tax rates on property), Art. 2, § 1e;</p> <p>Public debt, Art. 8 § 1;</p> <p>Authorizing bond issue to provide school classrooms, support for universities, for recreation and conservation and for state buildings, Art. 8, § 2f;</p> <p>The state to create no other debt, Art. 8, § 3.</p> <p>No assumption of debts by the state, Art. 8, § 5.</p> <p>Limitations on obligations state may issue, Art. 8, § 17;</p> <p>Poll tax, Art. 12, § 1;</p> <p>Limitation on tax rate; exemption, Art. 12, § 2;</p> <p>Debt for internal improvements, Art. 12, § 6.</p>	<i>State ex re. Shkurti v. Withrow</i> , 32 Ohio St. 3d 424 (Ohio 1987).
Taxpayer Standing	2	n/a	<i>Home Builders Ass'n of Dayton and the Miami Valley v. Lebanon</i> , 167 OhioApp 3d 247 (Ct. App. 2006).

### Oklahoma

Category	Score	Constitutional Provisions	Leading Case Citations
Free Speech	0	<p>Liberty of speech and press, Art. 2, § 22;</p> <p>Right of Assembly and petition, Art. 2, § 3.</p>	<i>Oklahoma Alcoholic Beverage Control Bd. v. Burris</i> , 626 P.2d 1316 (Okla. 1980).
Property Rights	1	<p>Private property – Taking or damaging for private use, Art. 2, § 23;</p> <p>Private property – Public use – Character of use a judicial question, Art. 2, § 24;</p> <p>Unreasonable searches or seizures, Art. 2, § 30.</p>	<i>British-American Oil Producing Co. v. McClain</i> , 191 Okla. 40, 126 P.2d 530 (1942).

<b>Category</b>	<b>Score</b>	<b>Constitutional Provisions</b>	<b>Leading Case Citations</b>
Substantive Due Process	1	Inherent rights, Art. 2, § 2; Courts of justice open, Art. 2, § 6; Due process of law, Art. 2, § 7; Effect of enumeration of rights Art. 2, § 33.	<i>Johnson v. Bd. of Governors of Registered Dentists</i> , 913 P.2d 1339 (Okla. 1996); <i>Spartan’s Indus., Inc. v. City of Okla. City</i> , 498 P.2d 399, 402 (Okla. 1972); <i>Whittle v. State Bd. of Exam’rs of Psychologists</i> , 483 P.2d 328, 329-30 (Okla. 1971); <i>American Home Prods. Corp. v. Homsey</i> , 361 P.2d 297, 303 (Okla. 1961); <i>Okla. City v. Poor</i> , 298 P.2d 459, 461-62 (Okla. 1956); <i>State ex rel. Whetsel v. Wood</i> , 248 P.2d 612 (Okla. 1952); <i>City of Guthrie v. Pike &amp; Long</i> , 206 Okla. 307, 243 P.2d 697, 701 (1952); <i>Englebrecht v. Day</i> , 208 P.2d 538, 544 (Okla. 1949); <i>but see Meadows v. Meadows</i> , 619 P.2d 598 (Okla. 1980); <i>T.I.M. Co. v. Okla. Land Title Ass’n</i> , 698 P.2d 915 (Okla. 1984).
Equal Protection	1	No exclusive rights, privileges or immunities, Art. 5, § 51.	
General Negative Individual Rights	1	Bearing arms – Carrying weapons, Art. 2, § 26.	
Contracts Clause	2	Bills of attainder – Ex post fact laws – Obligations of contracts, Art. 2, § 15.	<i>Application of Okla. Turnpike Auth.</i> , 348 P.2d 510 (Okla. 1960).
Structural Government Restrictions	1	Perpetuities – Monopolies – Primogeniture – Entailments, Art. 2, § 32; Departments of government – Separation and distinction, Art. 4, § 1; Local and special laws on certain subjects prohibited, Art. 5, § 46; Release or extinguishment of debts or liabilities to state, county or municipality, Art. 5, § 53; Subjects and titles, Art. 5, § 57.	

Category	Score	Constitutional Provisions	Leading Case Citations
Subsidy Restrictions	1	Pledge or loan of credit – Donation – Exceptions, Art. 10, § 15.	Opp. Atty. Gen. No. 79-195 (Sept. 19, 1979).
Fiscal Restraints	2	Amount of ad valorem tax, Art. 10 § 9; Classification of property, Art. 10, § 22; Balanced budget – Procedures, Art. 10, § 23.	<i>Kiowa County Excise Bd. v. St. Louis-San Francisco Ry. Co.</i> , 301 P.2d 677 (Okla. 1956).
Taxpayer Standing	1	n/a	<i>Brandon v. Ashworth</i> , 955 P.2d 233, 235 (Ok. 1998); <i>Ryals v. Keating</i> , 2 P.3d 378 (Okla. App. 1999).

### Oregon

Category	Score	Constitutional Provisions	Leading Case Citations
Free Speech	2	Freedom of speech and press, Art. 1, § 8.	<i>Outdoor Media Dimensions, Inc. v. Dep't of Transp.</i> , 340 Or. 275 (2006); <i>State v. Arnold</i> , 133 Or. App. 647 (Or. App. 1995).
Property Rights	0	Unreasonable searches or seizures, Art. 1, § 9; Private property or services taken for public use, Art. 1, § 18.	<i>Coast Range Conifers, LLC v. State ex rel. Or.</i> , 339 Or. 136 (2005); <i>Butchart v. Baker County</i> , 214 Or. App. 61 (2007); <i>Dalles Lumbering Co. v. Urquhart</i> , 16 Or. 67 (1888).
Substantive Due Process	1	Enumeration of rights not exclusive, Art. 1, § 33; Saving existing rights and liabilities, Art. 18, § 10; Natural rights inherent in people, Art. 1, § 1; Administration of justice (open courts), Art. 1, § 10.	<i>Leathers v. City of Burns</i> , 444 P.2d 1010 (Or. 1968); <i>Hertz Corp. v. Heltzel</i> , 341 P.2d 1063 (Or. 1959); <i>but see In re Marriage of McGinley</i> , 172 Or. App. 717 (2001); <i>Atlantic Richfield Co. v. Dept. of Revenue</i> , 1997 WL 397532 (Or. Tax 1997); <i>Robert Randall Co. v. City of Beaverton</i> , 68 Or. App. 419 (1984).
Equal Protection	1	Natural rights, Art. 1, § 1; Equality of privileges and immunities of citizens, Art. 1, § 20;	<i>Mathias v. Dept. of Revenue, State of Oregon</i> , 312 Or. 50 (1991).

<b>Category</b>	<b>Score</b>	<b>Constitutional Provisions</b>	<b>Leading Case Citations</b>
General Negative Individual Rights	1	Freedom of worship, Art. 1, § 2; Freedom of religious opinion, Art. 1, § 3; Rights to bear arms, Art. 1, § 27; Emigration, Art. 1, § 30.	<i>Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints v. West Linn</i> , 86 P.3d 1140 (Or. App. 2004).
Contracts Clause	1	Ex post facto laws; laws impairing contracts; laws depending on authorization in order to take effect; laws submitted to electors, Art. 1, § 21.	
Structural Government Restrictions	1	Separation of Powers, Art. 3, § 1; Subject and title of Act, Art. 4, § 20; Acts to be plainly worded, Art. 4, § 21; Certain local and special laws prohibited, Art. 4, § 23.	
Subsidy Restrictions	1	Credit of state not to be loaned; Limitation upon power of contracting debts, Art. 11, § 7.	
Fiscal Restraints	1	Taxes and duties; uniformity of taxation, Art. 1, § 32; Assessment of taxation; uniform rules; uniformity of operation of laws, Art. 9, § 1; Legislature to provide revenue to pay current state expenses and interest, Art. 9 § 2; Credit of state not to be loaned; Limitation upon power of contracting debts, Art. 11, § 7; County debt limitation, Art. 11, § 10; Property tax limitations on assessed value and rate of tax; exceptions, Art. 11, § 11.	
Taxpayer Standing	1	n/a	<i>Demartino v. Marion County</i> , 220 Or. App 44 (2008).

**Pennsylvania**

<b>Category</b>	<b>Score</b>	<b>Constitutional Provisions</b>	<b>Leading Case Citations</b>
Free Speech	0	Freedom of Speech and Press, Art. 1, § 7; Right of Petition, Art. 1 § 20.	<i>Pa. State Bd. of Pharmacy v. Pastor</i> , 272 A.2d 487, 490, 495 (Pa. 1971); <i>but see Bureau of Pro. And Occupational Affairs v. St. Bd. of Physical Therapy</i> , 556 Pa. 268 (1999).

Category	Score	Constitutional Provisions	Leading Case Citations
Property Rights	1	Security from Searches and Seizures, Art. 1, § 8; Initiation of Criminal Proceedings; Twice in Jeopardy; Eminent domain, Art. 1, § 10; Private corporations Eminent domain, Art. 10, § 4.	<i>Exton Quarries, Inc. v. Zoning Bd. of Adjustment</i> , 228 A.2d 169, 182 (Pa. 1967); <i>Cott Beverage Corp. v. Horst</i> , 110 A.2d 405 (Pa. 1955); <i>Gambone v. Commonwealth</i> , 101 A.2d 634, 638 (Pa. 1954); <i>but see Middletown Tp. v. Lands of Stone</i> , 595 Pa. 607 (2007).
Substantive Due Process	2	Inherent Rights of Mankind, Art. 1, § 1; Political Powers, Art. 1, § 2; Rights of Accused in Criminal Prosecutions, Art. 1, § 9; Courts to be Open; Suits Against the Commonwealth, Art. 1, § 11; Reservation of Powers in People, Art. 1, § 25.	<i>Nixon v. Dep't of Pub. Welfare</i> , 839 A.2d 277 (Pa. 2003); <i>Pa. St. Bd. of Pharm. v. Pastor</i> , 272 A.2d 487 (Pa. 1971); <i>Lutz v. Armour</i> , 151 A.2d 108 (Pa. 1959); <i>Warren v. Phila.</i> , 127 A.2d 703 (Pa. 1956); <i>Otto Milk Co. v. Rose</i> , 99 A.2d 467 (Pa. 1953); <i>Olan Mills, Inc. v. Sharon</i> , 92 A.2d 222 (Pa. 1952); <i>Girard Trust Co. v. Pa. R.R. Co.</i> , 73 A.2d 371 (Pa. 1950), <i>aff'g Girard Trust Co. v. Pa. R.R. Co.</i> , 71 Pa. D. & C. 533 (Pa. C.P. 1950); <i>In re Borsch Estate</i> , 67 A.2d 119 (Pa. 1949); <i>Hertz Drivurself Stations v. Siggins</i> , 58 A.2d 464 (Pa. 1948); <i>Wilcox v. Penn Mut. Life Ins. Co.</i> , 55 A.2d 521 (Pa. 1947); <i>Flynn v. Horst</i> , 51 A.2d 54 (Pa. 1947); <i>Commonwealth v. Zasloff</i> , 13 A.2d 67 (Pa. 1940).
Equal Protection	1	Inherent Rights of Mankind, Art. 1, § 1; Ex Post Facto Laws; Impairment of Contracts, Art. 1, § 17; No Discrimination by Commonwealth and Its Political Subdivisions, Art. 1, § 26.	<i>Commonwealth ex rel. Woodside v. Sun Ray Drug Co.</i> , 116 A.2d 833, 840 (Pa. 1955); <i>but see Hoffman v. Pa. St. Employes' Retirement Bd.</i> , 743 A.2d 1014 (Pa. 2000); <i>Paz v. Pa. Housing Finance Agency</i> , 722 A.2d 762 (Pa. 1999).

<b>Category</b>	<b>Score</b>	<b>Constitutional Provisions</b>	<b>Leading Case Citations</b>
General Negative Individual Rights	1	Religious Freedom, Art. 1, § 3; Right to Bear Arms, Art. 1, § 21.	<i>Meggett v. Pa. Dept. of Corrections</i> , 892 A.2d 872 (Pa. 2006).
Contracts Clause	1	Ex Post Facto Laws; Impairment of Contracts, Art. 1, § 17.	Compare <i>First Nat. Bank of Pa. v. Flanagan</i> , 515 Pa. 263 (1987) with <i>S. Union Tp. v. Pa.</i> , 839 A.2d 1179 (Pa. 2003).
Structural Government Restrictions	2	Ex Post Facto Laws; Impairment of Contracts, Art. 1, § 17; Certain Local and Special Laws, Art. 3, § 32.	<i>Wings Field Preservation Associates, L.P. v. Dep't of Transportation</i> , 776 A.2d 311 (Pa. 2001); <i>Harrisburg Sch. Dist. V. Hickok</i> , 761 A.2d 1132 (Pa. 2000); <i>Moyer v. Phillips</i> , 462 Pa. 395 (Pa. 1975); <i>State Bd. of Chiropractic Examiners v. Life Fellowship of Pa.</i> , 441 Pa. 293 (1971).
Subsidy Restrictions	1	Commonwealth Credit Not to Be Pledged, Art. 8, § 8; Appropriations for Public Purpose, Art. 9, § 9.	
Fiscal Restraints	1	Commonwealth Indebtedness, Art. 8, § 7; Municipal Debt Not to be Assumed by Commonwealth, Art. 8, § 9; Uniformity of Taxation, Art. 8 § 1; Local Government Debt, Art. 9, § 10; Philadelphia Debt, Art. 9, § 12; Governor's Budgets and Financial Plan Art. 8, § 12.	
Taxpayer Standing	1		<i>Tosto v. Pa. Nursing Home Loan Agency</i> , 460 Pa. 1, 331 A.2d 198 (Pa. 1975).

**Rhode Island**

<b>Category</b>	<b>Score</b>	<b>Constitutional Provisions</b>	<b>Leading Case Citations</b>
Free Speech	1	Freedom of press, Art. 1 § 20; Right to assembly – Redress of grievances – Freedom of speech, Art. 1, § 21.	

Category	Score	Constitutional Provisions	Leading Case Citations
Property Rights	0	Search and seizure, Art. 1, § 6; Compensation for taking of private property for public use, Art. 1, § 16.	<i>O'Neill v. Providence</i> , 480 A.2d 1375 (R.I. 1984).
Substantive Due Process	0	Laws for good of whole – Burdens to be equally distributed – Due process – Equal protection – Discrimination – No right to abortion granted, Art. 1, § 2; Entitlement to remedies for injuries and wrongs – Right to justice, Art. 1, § 5; Rights of accused persons in criminal proceedings, Art. 1, § 10; Rights not enumerated, Art. 1, § 24.	<i>Drysdale v. S. County Hosp. Health Care System</i> , 2005 WL 373330 (R.I. Super. 2005).
Equal Protection	0	Laws for good of whole – Burdens to be equally distributed – Due process – Equal protection – Discrimination – No right to abortion granted, Art. 1, § 2.	<i>Lynch v. Norwood Autoplex</i> , 2006 WL 2243018 (R.I. Super. 2006); <i>State v. Faria</i> , 947 A.2d 863 (R.I. 2008).
General Negative Individual Rights	1	Rights to bear arms, Art. 1, § 22; Freedom of religion, Art. 1, § 3.	
Contracts Clause	0	Ex post facto laws – Laws impairing obligation of contract, Art. 1, § 12.	<i>R.I. Depositors Economic Protection Corp. v. Brown</i> , 659 A.2d 95 (R.I. 1995).
Structural Government Restrictions	0	Of the Distribution of Powers, Art. 5.	
Subsidy Restrictions	1	Vote required to pass local or private appropriations, Art. 6, § 11.	
Fiscal Restraints	1	Borrowing Power of General Assembly, Art. 6, § 16; Limitation on state spending, Art. 9, § 16.	
Taxpayer Standing	1	n/a	<i>Mageau v. Schiedler</i> , 651 A.2d 1226 (R.I. 1994).

### South Carolina

Category	Score	Constitutional Provisions	Leading Case Citations
Free Speech	0	Religious freedom; freedom of speech; right of assembly and petition, Art. 1, § 2.	<i>Hunt v. McNair</i> , 258 S.C. 97, 187 S.E.2d 645 (1972).

<b>Category</b>	<b>Score</b>	<b>Constitutional Provisions</b>	<b>Leading Case Citations</b>
Property Rights	2	Searches & seizures; invasions of privacy, Art. 1, § 10; Taking private property; economic development; remedy of blight, Art. 1, § 13; Ultimate property in lands, Art. 14, § 3.	<i>State v. Hutton</i> , 358 S.C. 622, 595 S.E.2d 876 (App. 2004); <i>Timmons v. S.C. Tricentennial Comm'n</i> , 254 SC 378, 175 S.E.2d 805 (1970).
Substantive Due Process	1	Political power in people, Art. 1, §1; Privileges and immunities; due process; equal protection of laws, Art. 1, § 3; Courts; speedy remedy, Art. 1, § 9; Provisions of Constitution mandatory, Art. 1, § 23.	<i>Rogers-Kent, Inc. v. Gen. Elec. Co.</i> , 99 S.E.2d 665, 672 (S.C. 1957); <i>Painter v. Forest Acres</i> , 97 S.E.2d 71, 73 (S.C. 1957); <i>State v. Standard Oil Co.</i> , 10 S.E.2d 778, 790 (S.C. 1940); <i>McCoy v. Town of York</i> , 8 S.E.2d 905, 908 (S.C. 1940); <i>but see R.L. Jordan Co., Inc. v. Boardman Petroleum, Inc.</i> , 527 S.E.2d 763, 765 (S.C. 2000).
Equal Protection	1	Privileges and immunities; due process; equal protection of laws, Art. 1, § 3.	<i>Denene, Inc. v. Charleston</i> , 359 S.C. 85, 596 S.E.2d 917 (2004); <i>Fraternal Order of Police v. S.C. Dept. of Revenue</i> , 352 S.C. 420, 574 S.E.2d 717 (2002).
General Negative Individual Rights	1	Religious freedom; freedom of speech; right of assembly and petition, Art. 1, § 2; Right to keep and bear arms; armies; military power subordinate to civil authority; how soldiers quartered, Art. 1, § 20; Procedure before administrative agencies; judicial review, Art. 1, § 22.	
Contracts Clause	2	Attainder; ex post facto laws; impairment of contracts; titles; effect of conviction, Art. 1, § 4.	<i>S.C. Pub. Service Auth. v. Summers</i> , 282 S.C. 148, 318 S.E.2d 113 (1984); <i>Henderson v. Evans</i> , 268 S.C. 127, 232 S.E.2d 331 (1977).
Structural Government Restrictions	2	Attainder; ex post facto laws; impairment of contracts; titles; effect of conviction, Art. 1, § 4; Separation of powers, Art. 1, § 8; One subject, Art. 3, § 17; Special laws prohibited, Art. 3, § 34; No law or exemption for a specific municipality to be enacted, Art. 8, § 10.	<i>State v. Charron</i> , 351 S.C. 319, 569 S.E.2d 388 (App. 2002); <i>Martin v. Condon</i> , 324 S.C. 183, 478 S.E.2d 272 (1996); <i>Kizer v. Clark</i> , 360 S.C. 86, 600 S.E.2d 529 (2004).

Category	Score	Constitutional Provisions	Leading Case Citations
Subsidy Restrictions	1	Credit of State and political subdivisions, Art. 10, § 11.	<i>Hunt v. McNair</i> , 255 S.C. 71, 177 S.E.2d 362 (1970) (vacated by <i>Hunt v. McNair</i> , 403 U.S. 945, 91 S.Ct. 2276 (1971)).
Fiscal Restraints	1	General reserve fund, Art. 3, § 36; Limitations on expenditures of state government and number of state employees; annual budgets and expenses of political subdivisions and school districts, Art. 10, § 7; “Counties not to incur bonded indebtedness for special services in certain areas without special tax or charge on area or persons benefitted,” Art. 10 § 12; Bonded indebtedness of State, Art. 10, § 13; Bonded debt of political subdivision, Art. 10, § 14; Bonded debt of school districts, Art. 10, § 15.	
Taxpayer Standing	2	n/a	<i>Sloan v. Dept of Transportation</i> , 365 SC 299, 618 S.E.2d 876 (2005).

### South Dakota

Category	Score	Constitutional Provisions	Leading Case Citations
Free Speech	1	Right of petition and peaceable assembly, Art. 6, § 4; Free speech – Truth as defense – Jury trial, Art. 6, § 5.	
Property Rights	1	Search and seizure, Art. 6, § 11; Private property not taken without just compensation – Benefit to owner – Fee in highways, Art. 6, § 13; Compensation for private property taken for public use – Assessment of damages, Art. 17, § 18.	<i>US West Communications, Inc. v. Pub. Utilities</i> , 505 N.W.2d 115 (S.D. 1993); <i>City of Rapid City v. Boland</i> , 271 N.W.2d 60 (S.D. 1978).

<b>Category</b>	<b>Score</b>	<b>Constitutional Provisions</b>	<b>Leading Case Citations</b>
Substantive Due Process	1	Inherent rights, Art. 6, § 1; Due process – Right to work, Art. 6, § 2; Courts open – Remedy for injury, Art. 6, § 20; Power inherent in people – Alteration in form of government – Inseparable part of Union, Art. 6, § 26; Maintenance of free government – Fundamental principles, Art. 6, § 27.	<i>City of Rapid City v. Schmitt</i> , 71 N.W.2d 297 (S.D. 1955); <i>City of Sioux Falls v. Kadinger</i> , 50 N.W.2d 797 (S.D. 1951); <i>but see State v. Hy Vee Food Stores, Inc.</i> , 533 N.W.2d 147 (S.D. 1995); <i>Katz v. South Dakota State Bd. of Medical and Osteopathic Examiners</i> , 432 N.W.2d 274 (S.D. 1988).
Equal Protection	0	Inherent rights, Art. 6, § 1; Equal privileges or immunities, Art. 6, § 18.	<i>Aberdeen v. Meidinger</i> , 89 S.D. 412, 233 N.W.2d 331 (S.D. 1975); <i>State v. King</i> , 82 S.D. 514, 149 N.W.2d 509 (S.D. 1967).
General Negative Individual Rights	1	Freedom of religion – Support of religion prohibited, Art. 6, § 3; Rights to bear arms, Art. 6, § 24; Due process – Right to work, Art. 6, § 2.	
Contracts Clause	0	Ex post facto laws – Impairment of contract obligations – Privilege or immunity, Art. 6, § 12.	<i>Skinner v. Holt</i> , 9 S.D. 427, 69 N.W. 595 (1896); <i>Matter of Estate of Gab</i> , 364 N.W.2d 924 (S.D. 1985).
Structural Government Restrictions	1	Division of the powers of government, Art. 2; One subject expressed in title, Art. 3, § 21; Private or special laws prohibited, Art. 3, § 23; Municipal powers denied to private organizations, Art. 3, § 26; Ex post facto laws – Impairment of contract obligations – Privilege or immunity, Art. 6, § 12; Railroad monopolies, Art. 27, § 14; Prohibition on monopolies and trusts, Art. 17, § 20.	<i>Dakota Systems, Inc. v. Viken</i> , 694 N.W.2d 23 (S.D. 2005); <i>Accounts Management, Inc. v. Williams</i> , 484 N.W.2d 297 (S.D. 1992); <i>Simpson v. Tobin</i> , 367 N.W.2d 757 (S.D. 1985); <i>State v. Smith</i> , 88 S.D. 76, 216 N.W.2d 149 (S.D. 1974).
Subsidy Restrictions	0	n/a	

Category	Score	Constitutional Provisions	Leading Case Citations
Fiscal Restraints	2	Annual tax, Art. 11, § 1; Inheritance tax prohibited, Art. 11, § 15; State enterprises – Legislative vote required – Defense of state – Rural credits – Maximum indebtedness, Art. 13 § 1; Maximum state debt – Irrepealable tax to repay, Art. 13, § 2; Debt limitations for municipalities and political subdivisions, Art. 13, § 4; Salary of constitutional officers, Art. 21, § 2.	<i>Clarke v. Beadle County</i> , 40 S.D. 608, 169 N.W. 23 (1918).
Taxpayer Standing	2	n/a	<i>State ex rel. Jensen v. Kelly</i> . 65 S.D. 345, 274 N.W. 319 (S.D. 1937).

### Tennessee

Category	Score	Constitutional Provisions	Leading Case Citations
Free Speech	1	Freedom of speech and press; defamation, Art. 1, § 19; Right of assembly; redress of grievances, Art. 1, § 23.	
Property Rights	1	Searches and seizures; warrants, Art. 1, § 7; Taking of property; eminent domain, Art. 1, § 21.	
Substantive Due Process	2	Doctrine of nonresistance, Art. 1, § 2; Deprivation of life, liberty or property under law; due process, Art. 1, § 8; Remedies in courts, suits against state, Art. 1, § 17; Impairment of contracts or other rights, Art. 11, § 2.	<i>Livesay v. Tenn. Bd. of Exam'rs in Watchmaking</i> , 322 S.W.2d 209 (Tenn. 1959); <i>Consumer's Gasoline Stations v. City of Peelaski</i> , 292 S.W.2d 735 (Tenn. 1956); <i>State v. White</i> , 288 S.W.2d 428 (Tenn. 1956).
Equal Protection	1	General or special law, Art. 11, § 8.	
General Negative Individual Rights	1	Freedom of worship, Art. 1, § 3; Weapons; right to bear arms, Art. 1, § 26.	
Contracts Clause	1	Retrospective laws; impairment of contracts, Art. 1, § 20.	

<b>Category</b>	<b>Score</b>	<b>Constitutional Provisions</b>	<b>Leading Case Citations</b>
Structural Government Restrictions	2	Perpetuities & monopolies, Art. 1, § 22; Separation of powers; branches of government, Art. 2, § 1; Separation of powers; persons belonging to different branches, Art. 2, § 2; Bills requirements, Art. 2, § 17; Rejected bills, Art. 2, § 19.	<i>Checker Cab Co. v. City of Johnson City</i> , 216 S.W.2d 335 (Tenn. 1948); <i>Esquinance v. Polk County Educ. Ass'n</i> , 195 S.W.3d 35 (Tenn. Ct.App. 2005); <i>Murdock Acceptance Corp. v. Aaron</i> , 190 Tenn. 401, 428 (Tenn. 1950).
Subsidy Restrictions	1	Counties and towns; taxing authority; extension of credit; holding stock, Art. 2, § 29; Extension of credit by state; ownership of banks or stock by state, Art. 2, § 31;	
Fiscal Restraints	1	Appropriations; balanced budget, Art. 2, § 24; Property taxation; gross receipts tax; income from stocks and bonds, Art. 2, § 28; Counties & towns; taxing authority; extension of credit; holding stock, Art. 2 § 29; Taxation of manufactured articles, Art. 2, § 30.	<i>State v. Woollen</i> , 128 Tenn. 456, 161 S.W. 1006 (Tenn. 1913).
Taxpayer Standing	1	n/a	<i>Cobb v. Shelby County Bd. of Commerce</i> , 771 S.W.2d 124 (Tenn. 1989); <i>Badgett v. Rogers</i> , 436 S.W.2d 292 (Tenn. 1968).

**Texas**

<b>Category</b>	<b>Score</b>	<b>Constitutional Provisions</b>	<b>Leading Case Citations</b>
Free Speech	1	Freedom of speech & press; Libel, Art. 1, § 8; Right of assembly; petition for redress of grievances, Art. 1, § 27.	<i>Amalgamated Acme Affiliates, Inc. v. Minton</i> , 33 S.W.3d 387 (Tex. App. 2000); <i>Marketshare Telecom, L.L.C. v. Ericsson, Inc.</i> , 198 S.W.3d 908 (Tex.App. 2006); <i>Rodriguez v. Rutter</i> , 498 F.Supp.2d 932 (W.D.Tex. 2007).

Category	Score	Constitutional Provisions	Leading Case Citations
Property Rights	1	Searches and seizures, Art. 1, § 9; Taking, damaging, or destroying property for public use; special privileges and immunities; control of privileges and franchises, Art. 1, § 17; Corruption of blood; forfeiture; suicides, Art. 1, § 21.	
Substantive Due Process	1	Rights of accused in criminal prosecutions, Art. 1, § 10; Deprivation of life, liberty, etc.; Due course of law, Art. 1, § 19; Provisions of bill of rights excepted from powers of government; to forever remain inviolate, Art. 1, § 29.	<i>Pedraza v. Tibbs</i> , 826 S.W.2d 695 (Tex.App. 1992); <i>Texas Power &amp; Light Co. v. City of Garland</i> , 431 S.W.2d 511, 521 (Tex. 1968); <i>Ex Parte Rodgers</i> , 371 S.W.2d 570, 571 (Tex. 1963); <i>Marney v. State</i> , 330 S.W.2d 623, 625 (Tex. Crim. App. 1960); <i>San Antonio Retail Grocers, Inc. v. Lafferty</i> , 297 S.W.2d 813 (Tex. 1957).
Equal Protection	1	Equal rights, Art. 1, § 3; Equality under law, Art. 1, § 3a; Taking, damaging, or destroying property for public use; special privileges and immunities; control of privileges and franchises, Art. 1, § 17.	Compare <i>Thomas v. Bilby</i> , 40 S.W.3d 166 (Tex. App. 2001) with <i>Rose v. Doctors Hosp.</i> , 801 S.W.2d 841 (Tex. 1990); <i>Texas Workers' Compensation Com'n v. Garcia</i> , 893 S.W.2d 504 (Tex. 1995).
General Negative Individual Rights	1	Freedom of worship, Art. 1, § 6; Right to keep and bear arms, Art. 1, § 23.	
Contracts Clause	0	Bills of attainder; ex post facto or retroactive laws; impairing obligation of contracts, Art. 1, § 16.	<i>Chandler v. Jorge A. Gutierrez, P.C.</i> , 906 S.W.2d 195 (Tex. App. 1995).
Structural Government Restrictions	1	Bills of attainder; ex post facto or retroactive laws; impairing obligation of contracts, Art. 1, § 16; Perpetuities and monopolies, primogeniture or entailments, Art 1, § 26; Local and special laws, Art. 3, § 56; Notice of intention to apply for local or special laws, Art. 3, § 57; Division of powers; three separate departments; exercise of power properly attached to other departments, Art. 2, § 1.	<i>Edwards County v. Jennings</i> , 35 S.W. 1053 (Tex. 1896).

Category	Score	Constitutional Provisions	Leading Case Citations
Subsidy Restrictions	1	Loan or pledge of credit of state, Art. 3, § 50; Grants of public money prohibited, Art. 3, § 51; Counties, cities, or other political corporations or subdivisions; lending credit; grants; bonds, Art. 3, § 52; Loan or grant of public money for economic development, Art. 3, § 52a.	
Fiscal Restraints	1	State debts, Art. 3, § 49; Surrender or suspension of taxing power, Art. 8, § 4; Maximum state tax; county, city and town levies; county funds; local road laws, Art. 8 § 9; Restriction on appropriateness, Art. 8, § 22.	<i>Hendee v. Dewhurst</i> , 228 S.W.3d 354 (Tex. App. 2007).
Taxpayer Standing	1	n/a	<i>Bland Indep. Sch. Dist. v. Blue</i> , 34 S.W.3d 547 (Tex. 2000).

**Utah**

Category	Score	Constitutional Provisions	Leading Case Citations
Free Speech	1	Freedom of speech and of the press – Libel, Art. 1, § 15.	<i>American Bush v. City of South Salt Lake</i> , 140 P.3d 1235 (Utah 2006); <i>Pride Oil Co. v. Salt Lake County</i> , 370 P.2d 355 (Utah 1962).
Property Rights	1	Unreasonable searches forbidden – Issuance of warrant, Art. 1, § 14; Private property for public use, Art. 1, § 22.	<i>Utah State Road Com'n v. Friberg</i> , 687 P.2d 821 (Utah 1984).
Substantive Due Process	2	Inherent and inalienable rights, Art. 1, § 1; All political power inherent in the people, Art. 1, § 2; Due process of law, Art. 1, § 7; Courts open -- Redress of injuries, Art. 1, § 11; Rights of accused persons, Art. 1, § 12; Rights retained by people, Art. 1, § 25; Provisions mandatory and prohibitory, Art. 1, § 26; Fundamental rights, Art. 1, § 27.	<i>Leetham v. McGinn</i> , 524 P.2d 323 (Utah 1974); <i>Salt Lake City v. Revenue</i> , 124 P.2d 537 (Utah 1942).

Category	Score	Constitutional Provisions	Leading Case Citations
Equal Protection	2	Irrevocable franchises forbidden, Art. 1, § 23; Uniform operation of laws, Art. 1, § 24; Equal political rights, Art. 4, § 1; Special privileges forbidden, Art. 6, § 28.	<i>Dodge Town v. Romney</i> , 480 P.2d 461 (Utah 1971).
General Negative Individual Rights	1	Religious liberty, Art. 1, § 4; Right to bear arms, Art. 1, § 6.	
Contracts Clause	1	Attainder – Ex post facto laws – Impairing contracts, Art. 1, § 18.	
Structural Government Restrictions	2	Art. 1, § 18; Three departments of government, Art. 5, § 1; Reading of bills – Bill to contain only one subject – Bills passed by majority, Art. 6, § 22; Private laws forbidden, Art. 6, § 26; Free market system as state policy – Restraint of trade and monopolies prohibited, Art. 12, § 20.	<i>Utah Farm Bureau Ins. Co. v. Utah Ins. Guaranty Ass’n</i> , 564 P.2d 751 (Utah 1977).
Subsidy Restrictions	1	Lending public credit and subscribing to stock or bonds forbidden – Exceptions, Art. 6, § 29.	
Fiscal Restraints	2	Use and amount of taxes and expenditures, Art 13, § 5; Fixing the limit of the state indebtedness – Exceptions, Art. 14, § 1; Certain debt of counties, cities, towns, school districts, and other political subdivisions not to exceed taxes – Exception – Debt may be incurred only for specified purposes, Art. 14, § 3; Limit of indebtedness of counties, cities, towns, and school districts – Larger indebtedness may be allowed, Art. 14, § 4; State not to assume county, city, town or school district debts – Exception, Art. 14, § 6.	<i>Continental Bank and Trust Co. v. Farmington City</i> , 599 P.2d 1242 (Utah 1979).
Taxpayer Standing	1	n/a	<i>Kennecot v. Salt Lake County</i> , 702 P.2d 451 (Utah 1985).

**Vermont**

<b>Category</b>	<b>Score</b>	<b>Constitutional Provisions</b>	<b>Leading Case Citations</b>
Free Speech	1	Freedom of speech and of the press, Ch 1, Art. 13; Right to assemble, instruct and petition, Ch 1, Art. 20.	
Property Rights	1	All persons born free; their natural rights; slavery prohibited, Ch 1, Art. 1; Private property subject to public use; owner to be paid, Ch 1, Art. 2; Search and seizure regulated, Ch 1, Art. 11.	
Substantive Due Process	1	All persons born free; their natural rights; slavery prohibited, Ch 1, Art. 1; Remedy at law secured to all, Ch 1, Art. 4; Rights of persons accused of crime; personal liberty; waiver of jury trial, Ch 1, Art. 10; Regard to fundamental principles and virtues necessary to preserve liberty, Ch 1, Art. 18; Declaration of rights not to be violated, Ch 2, Art. 71.	
Equal Protection	1	All persons born free; their natural rights; slavery prohibited, Ch 1, Art. 1; Government for the people; they may change it, Ch 1, Art. 7.	
General Negative Individual Rights	2	Freedom in religion; right and duty of religious worship, Ch 1, Art. 3; Right to bear arms; standing armies; military power subordinate to civil, Ch 1, Art. 16; Right to emigrate, Ch 1, Art. 19.	<i>Hunt v. Hunt</i> , 648 A.2d 843 (Vt. 1994).
Contracts Clause	0	n/a	
Structural Government Restrictions	1	Departments to be distinct, Ch 2, Art. 5.	
Subsidy Restrictions	0	n/a	
Fiscal Restraints	0	n/a	
Taxpayer Standing	0	n/a	

## Virginia

Category	Score	Constitutional Provisions	Leading Case Citations
Free Speech	0	Freedom of speech and of the press; right peaceably to assemble, and to petition, Art. 1, § 12.	<i>Elliott v. Commonwealth</i> , 593 S.E.2d 263 (Va. 2004).
Property Rights	1	General warrants of search or seizure prohibited, Art. 1, § 10; Due process of law; obligation of contracts; taking of private property; prohibited discrimination; jury trial in civil cases, Art. 1, § 11.	
Substantive Due Process	2	Equality and rights of men, Art. 1, § 1; People the source of power, Art. 1, § 2; Government instituted for common benefit, Art. 1, § 3; Due process of law; obligation of contracts; taking of private property; prohibited discrimination; jury trial in civil cases, Art. 1, § 11; Qualities necessary to preservation of free government, Art. 1, § 15; Construction of the Bill of Rights, Art. 1, § 17.	<i>Alford v. City of Newport News</i> , 260 S.E.2d 241 (Va. 1979); <i>Joyner v. Centre Motor Co.</i> , 66 S.E.2d 469 (Va. 1951); <i>Moore v. Sutton</i> , 39 S.E.2d 348 (Va. 1946).
Equal Protection	1	Equality and rights of men, Art. 1, § 1; No exclusive emoluments or privileges; offices not to be hereditary, Art. 1, § 4.	<i>Cox Cable Hampton Roads, Inc. v. City of Norfolk</i> , 410 S.E.2d 652 (Va. 1991).
General Negative Individual Rights	1	Militia; standing armies; military subordinate to civil power, Art. 1, § 13; Free exercise of religion; no establishment of religion, Art. 1, § 16; Right of the people to hunt, fish, and harvest game, Art. 11, § 4.	<i>The Honorable R. Creigh Deeds</i> , 2006 WL 304006 (2006).
Contracts Clause	0	Due process of law; obligation of contracts; taking of private property; prohibited discrimination; jury trial in civil cases, Art. 1, § 11.	<i>Working Waterman's Ass'n v. Seafood Harvesters, Inc.</i> , 314 S.E.2d 159 (Va. 1984).
Structural Government Restrictions	1	Prohibition of excessive bail and fines, cruel and unusual punishment, suspension of habeas corpus, bills of attainder, and ex post facto laws, Art. 1, § 9; Departments to be distinct, Art. 3, § 1; Separation of legislative, executive, and judicial departments; periodical elections, Art. 1, § 5; Form of laws, Art. 4, § 12; Powers of General Assembly; limitations, § 14; General laws, Art. 4, § 15.	<i>Jefferson Green Unit Owners Ass'n, Inc. v. Gwinn</i> , 551 S.E.2d 339 (Va. 2001).

Category	Score	Constitutional Provisions	Leading Case Citations
Subsidy Restrictions	1	Lending of credit, stock subscriptions, and works of internal improvement, Art. 10, § 10.	<i>Almond v. Day</i> , 91 S.E.2d 660 (Va. 1956).
Fiscal Restraints	1	Debt, Art. 7, § 10; Collection and disposition of State revenues, Art. 10, § 7; Limit of tax or revenue, Art. 10, § 8; State debt, Art. 10, § 9.	<i>American-LaFrance &amp; Foamite Industries v. Arlington County</i> , 178 S.E. 783 (Va. 1935).
Taxpayer Standing	2	n/a	<i>Armstrong v. County of Hinrico</i> , 212 Va. 66 (1971).

### Washington

Category	Score	Const. Provisions	Leading Case Citations
Free Speech	2	Right of Petition and Assemblage, Art. 1, § 4; Freedom of Speech, Art. 1, § 5.	<i>Kitsap County v. Mattress Outlet/Gould</i> , 104 P.3d 1280 (Wash. 2005); <i>JJR Inc. v. City of Seattle</i> , 891 P.2d 720 (Wash. 1995).
Property Rights	2	Eminent domain, Art. 1, § 16; Private Property, When May Be Taken For Public Debt, Art. 11, § 13.	<i>Manufactured Housing Communities of Washington v. State</i> , 13 P.3d 183 (Wash. 2000).
Substantive Due Process	1	Political Power, Art. 1, § 1; Personal Rights, Art. 1, § 3; Rights of accused persons, Art. 1, § 9; Administration of Justice, Art. 1, § 10; Constitution Mandatory, Art. 1, § 29; Rights Reserved, Art. 1, § 30; Fundamental Principles, Art. 1, § 32.	<i>Spokane v. Valu-Mart, Inc.</i> , 419 P.2d 993 (Wash. 1966); <i>Remington Arms Co. v. Skaggs</i> , 345 P.2d 1085 (Wash. 1959), <i>but see Ventenbergs v. City of Seattle</i> , 178 P.3d 960 (Wash. 2008).
Equal Protection	1	Irrevocable Privilege, Franchise Or Immunity Prohibited, Art. 1, § 8; Special Privileges And Immunities Prohibited, Art. 1, § 12.	
General Negative Individual Rights	1	Invasion of Private Affairs or Home Prohibited, Art. 1, § 7; Religious freedom, Art. 1, § 11; Right to bear arms, Art. 1, § 24.	<i>State v. Spiers</i> , 79 P.3d 30 (Wash. Ct. App. 2003).
Contracts Clause	0	Bill of Attainder, Ex Post Facto Law, etc., Art. 1, § 23.	<i>Carlstrom v. State</i> , 694 P.2d 1 (Wash. 1985).

Structural Government Restrictions	1	Bill of Attainder, Ex Post Facto Law, etc., Art. 1, § 23; Bill to Contain one Subject, Art. 2, § 19; Special legislation, Art. 2, § 28; Limitation on amendments, Art. 2, § 38; Monopolies and Trusts, Art. 12, § 22.	<i>Group Health Co-op. of Puget Sound v. King County Medical Soc.</i> , 237 P.2d 737 (Wash. 1952).
Subsidy Restrictions	1	Credit not to be loaned, Art. 8 § 5; Credit not to be loaned, Art. 8, § 7; State not to Loan its Credit or Subscribe for Stock, Art. 12, §9.	<i>CLEAN v. State</i> , 928 P.2d 1054 (Wash. 1996).
Fiscal Restraints	1	Taxation, Art. 7, § 1; Limitations on levies, Art. 7, § 2; State debt, Art. 8, § 1; Special indebtedness, Art. 8, § 3; Limitations upon Municipal Indebtedness, Art. 8, § 6.	
Taxpayer Standing	2	n/a	<i>State v. Whatcom</i> , 694 P.2d 27 (Wash. 1985).

### West Virginia

Category	Score	Constitutional Provisions	Leading Case Citations
Free Speech	1	Freedom of speech and press guaranteed, Art. 3, § 7; Right of public assembly held inviolate, Art. 3, § 16.	
Property Rights	1	Unreasonable searches and seizures prohibited, Art. 3, § 6; Private property, how taken, Art. 3, § 9.	
Substantive Due Process	1	Powers of government in citizens, Art. 2, § 2; Bill of rights, Art. 3, § 1; Magistrates servants of people, Art. 3, § 2; Rights reserved to people, Art. 3, § 3; Safeguards for life, liberty, and property, Art. 3, § 10; Courts open to all – Justice administered speedily, Art. 3, § 17; Preservation of free government, Art. 3, § 20.	<i>Thorne v. Roush</i> , 261 S.E.2d 72 (W.Va. 1979); <i>Gen. Elec. Co. v. Dandy Appliance Co.</i> , 103 S.E.2d 310 (W.Va. 1958); <i>but see Gibson v. W. Va. Dep't of Highways</i> , 185 W. Va. 214, 218 n.8 (1991); <i>Whitener v. West Va. Bd. of Embalmers &amp; Funeral Dirs.</i> , 288 S.E.2d 543 (W.Va. 1982).
Equal Protection	1	Bill of rights, Art. 3, § 1.	<i>Board of Educ. of County of Kanawha v. West Virginia Bd. of Educ.</i> , 639 S.E.2d 893 (W.Va. 2006); <i>State ex rel. Schroath v. Condry</i> , 83 S.E.2d 470 (W.Va. 1954).

<b>Category</b>	<b>Score</b>	<b>Constitutional Provisions</b>	<b>Leading Case Citations</b>
General Negative Individual Rights	1	Religious freedom guaranteed, Art. 3, § 15; Right to keep and bear arms, Art. 3, § 22.	<i>Hartley Hill Hunt Club v. County Com'n of Ritchie County</i> , 647 S.E.2d 818 (W.Va. 2007).
Contracts Clause	0	Writ of habeas corpus, Art. 3, § 4.	<i>Shell v. Metropolitan Life Ins. Co.</i> , 380 S.E.2d 183 (W.Va. 1989).
Structural Government Restrictions	1	Acts to embrace but one object – Time of effect, Art. 6, § 30; Local laws not to be passed in enumerated cases, Art. 6, § 39; Exclusive privileges prohibited, Art. 11, § 3.	<i>State ex rel. Public Service Com'n v. Gainer</i> , 437 S.E.2d 589 (W.Va. 1993).
Subsidy Restrictions	1	Credit of state not to be granted in certain cases, Art. 10, § 6.	<i>State ex rel. Ohio County Comm'n v. Samol</i> , 275 S.E.2d 2 (W. Va. 1980).
Fiscal Restraints	1	Taxation and finance, Art. 10, § 1; Limitation on contracting of state debt, Art. 10, § 4; Credit of state not to be granted in certain cases, Art. 10, § 6.	
Taxpayer Standing	1	n/a	<i>Tug Valley Recovery Center, Inc. v. Mingo County Commission</i> , 261 S.E.2d 165 (W.Va. 1979).

**Wisconsin**

<b>Category</b>	<b>Score</b>	<b>Constitutional Provisions</b>	<b>Leading Case Citations</b>
Free Speech	0	Free speech; libel, Art. 1, § 3; Right to assemble and petition, Art. 1, § 4.	<i>County of Kenosha v. C &amp; S Management, Inc.</i> , 588 N.W.2d 236 (Wis. 1999); <i>but see City of Milwaukee v. Blondis</i> , 460 N.W.2d 815 (Wis. Ct. App. 1990); <i>City of Monona v. Hansen Advertising</i> , 114 Wis.2d 590 (Wis. Ct. App. 1983).
Property Rights	1	Searches and seizures, Art. 1, § 11; Private property for public use, Art. 1, § 13.	<i>Chicago &amp; N.W. Transp. Co. v. Pedersen</i> , 259 N.W.2d 316 (Wis. 1977); <i>Des Jardin v. Town of Greenfield</i> , 53 N.W.2d 784 (Wis. 1952).

Category	Score	Constitutional Provisions	Leading Case Citations
Substantive Due Process	2	Equality; inherent rights, Art. 1, § 1; Remedy for wrongs, Art. 1, § 9; Maintenance of free government, Art. 1, § 22.	<i>Peppies Courtesy Cab Co. v. Kenosha</i> , 475 N.W.2d 156 (Wis. 1991); <i>Chicago &amp; N.W. Ry. v. La Follette</i> , 169 N.W.2d 441 (Wis. 1969); <i>Clark Oil &amp; Ref. Corp. v. City of Tomah</i> , 141 N.W.2d 299 (Wis. 1966).
Equal Protection	1	Equality; inherent rights, Art. 1, § 1; Equal property rights for aliens and citizens, Art. 1, § 15.	<i>Ferdon ex rel. Petrucelli v. Wisconsin Patients Compensation Fund</i> , 701 N.W.2d 440 (Wis. 2005).
General Negative Individual Rights	1	Freedom of worship; liberty of conscience; state religion; public funds, Art. 1, § 18; Right to keep and bear arms, Art. 1, § 25; Right to fish, hunt, trap, and take game, Art. 1, § 26.	<i>State v. Hamdan</i> , 665 N.W.2d 785 (Wis. 2003).
Contracts Clause	1	Attainder; ex post facto; contracts, Art. 1, § 12.	
Structural Government Restrictions	1	Special and private laws prohibited, Art. 4, § 31; General laws on enumerated subjects, Art. 4, § 32.	
Subsidy Restrictions	1	Credit of state, Art. 8, § 3.	
Fiscal Restraints	1	Rule of taxation uniform; income, privilege and occupation taxes, Art. 8, § 1; Contracting state debts, Art. 8, § 4; Public debt for extraordinary expense; taxation, Art. 8, § 6..	<i>Rite-Hite Corp. v. Board of Review of Village of Brown Deer</i> , 575 N.W.2d 721 (Wis. Ct. App. 1997).
Taxpayer Standing	1	n/a	<i>City of Appleton v. Town of Menasha</i> , 142 Wis.2d 870 (1988).

## Wyoming

Category	Score	Constitutional Provisions	Leading Case Citations
Free Speech	1	Freedom of speech and press; libel; truth a defense, Art. 1, § 20; Right of petition and peaceable assembly, Art. 1, § 21.	<i>Tate v. Akers</i> , 409 F. Supp. 978 (D.C. Wyo. 1976).
Property Rights	0	Security against search and seizure, Art. 1, § 4; Eminent domain, Art. 1, § 32.	

<b>Category</b>	<b>Score</b>	<b>Constitutional Provisions</b>	<b>Leading Case Citations</b>
Substantive Due Process	1	Power inherent in the people, Art. 1, § 1; Due process of law, Art. 1, § 6; No absolute, arbitrary power, Art. 1, § 7; Courts open to all; suits against state, Art. 1, § 8; Rights not enumerated reserved to people, Art. 1, § 36.	<i>Nation v. Giant Drug Co.</i> , 396 P.2d 431 (Wyo. 1964); <i>Bulova Watch Co. v. Zale Jewelry Co. of Cheyenne</i> , 371 P.2d 409 (Wyo. 1962).
Equal Protection	2	Equality of all, Art. 1, § 2; Equal political rights, Art. 1, § 3; Uniform operation of general law, Art. 1, § 34; Special privileges prohibited, Art. 18, § 5.	<i>Allhusen v. State By and Through Wyoming Mental Health Professions Licensing Bd.</i> , 898 P.2d 878 (Wyo. 1995).
General Negative Individual Rights	1	Religious liberty, Art. 1, § 18; Right to bear arms, Art. 1, § 24.	
Contracts Clause	1	Ex post facto laws; impairing obligation of contracts, Art. 1, § 35.	
Structural Government Restrictions	2	Monopolies and perpetuities prohibited, Art. 1, § 30; Powers of government divided into three departments, Art. 2, § 1; Bill to contain only one subject, which shall be expressed in title, Art. 3, § 24; Special and local laws prohibited, Art. 3, § 27.	<i>Nehring v. Russell</i> , 582 P.2d 67 (Wyo. 1978).
Subsidy Restrictions	2	Aid to railroads and telegraph lines prohibited, Art. 10, § 15; Loan of credit; donations prohibited; works of internal improvement, Art. 16, § 6.	<i>Laramie Citizens for Good Government v. City of Laramie</i> , 617 P.2d 474 (Wyo. 1980).
Fiscal Restraints	1	State levy limited, Art. 15, § 4; County levy limited, Art. 15, § 5; City levy limited, Art. 15, § 6; Profit making from public funds prohibited, Art. 15, § 8; Limitation on state debt, Art. 16, § 1; Limitation on county debt, Art. 16, § 3; Limitation on municipal, county or school district debt, Art. 16, § 5.	
Taxpayer Standing	1	n/a	<i>Jolly v. State Loan and Inv. Bd.</i> , 38 P.3d 1073 (Wyo. 2002).