

Equality and Anti-Favoritism Provisions Relevant to Direct Cash Transfer Programs

By Kate Bishop – April 29, 2026

Texas's state constitutional equal-rights provision has been invoked as part of litigation challenging a local guaranteed income program, a form of direct cash transfer (DCT), alongside Texas's separate gift of public-funds restriction.¹ Art. I, § 3 of the Texas Constitution contains both an equal-rights guarantee and an anti-favoritism provision, stating that "no man, or set of men, is entitled to exclusive separate public emoluments, or privileges, but in consideration of public services." Texas courts have held that governmental entities may establish classifications only if the classification is reasonable, applies equally to all persons within the class,² and is based on a real and substantial difference related to the subject of the enactment.³ A classification is invalid if it is arbitrary or if similarly situated persons are treated differently without sufficient justification.⁴

The Texas Attorney General invoked art. I, § 3 to challenge the DCT program, asserting that the method used to select recipients rendered the classification arbitrary. According to the challenge, even if the initial eligibility criteria could be viewed as permissible classifications, the use of a random lottery to select participants eliminated any meaningful relationship between the classification and the distribution of benefits.⁵

Equality and anti-favoritism provisions vary substantially across jurisdictions. Some state constitutions contain broad equality guarantees, while others rely on more specific provisions, including clauses prohibiting special privileges, exclusive emoluments, special or local laws, or unequal operation of particular types of laws. These provisions are not mutually exclusive; a single constitutional section may contain equality, privileges, emoluments, or uniformity language.⁶

¹ Tex. Att'y Gen. Ken Paxton, *Attorney General Ken Paxton Sues Harris County Over Illegal "Guaranteed Income" Welfare Scheme* (Apr. 9, 2024), <https://www.texasattorneygeneral.gov/news/releases/attorney-general-ken-paxton-sues-harris-county-over-illegal-guaranteed-income-welfare-scheme>.

² *Producers Ass'n of San Antonio v. City of San Antonio*, 326 S.W.2d 222, 226 (Tex. App.—San Antonio 1959, writ ref'd n.r.e.); *Prudential Health Care Plan, Inc. v. Comm'r of Ins.*, 626 S.W.2d 822, 830 (Tex. App.—Austin 1981, writ ref'd n.r.e.).

³ *Crawford Chevrolet, Inc. v. McLarty*, 519 S.W.2d 656, 661 (Tex. App.—Amarillo 1975, no writ).

⁴ *Inman v. R.R. Comm'n*, 478 S.W.2d 124, 127 (Tex. App.—Austin 1972, writ ref'd n.r.e.).

⁵ *State of Texas v. Harris County, Texas*, Original Petition & Application for Temporary Restraining Order & Injunctive Relief, at 8 (Harris Cnty. Dist. Ct. filed Apr. 9, 2024), <https://www.texasattorneygeneral.gov/sites/default/files/images/press/Harris%20Handout%20Petition%20Filed.pdf>.

⁶ See Robert F. Williams, *Equality Guarantees in State Constitutional Law*, 63 Tex. L. Rev. 1195, 1196–97, 1207–16 (1985) (surveying state constitutional equality provisions and distinguishing broad equality guarantees from provisions addressing special privileges, special or local laws, civil-rights discrimination, sex equality, and specific or limited equality guarantees).

Across the states, constitutional provisions relevant to equality- or anti-favoritism-based challenges to DCT programs generally fall into five overlapping categories, which may be relevant to DCT programs in different ways:

1. Equal Rights / Equal Protection Clauses

Equal rights and equal protection clauses are broad equality provisions, or provisions courts have interpreted to require equal treatment under state law. These clauses may be invoked in challenges to eligibility criteria or selection methods if similarly situated people are treated differently without sufficient justification.

2. Special Privileges / Privileges or Immunities Clauses

Special privileges or privileges-or-immunities clauses limit laws that grant privileges, immunities, or benefits to selected persons or classes on terms not equally available to others. These clauses may be relevant where a DCT program is characterized as granting a public benefit to one class while excluding others on similar terms.

3. Emoluments / Common Benefits Clauses

Emoluments or common-benefits clauses restrict exclusive or separate public benefits, emoluments, or advantages unless justified by public service or a common benefit. These provisions may matter where challengers argue that a program confers an exclusive public benefit without sufficient public-service or public-benefit justification.

4. Special or Local Laws Clauses

Special or local laws clauses limit laws that single out particular persons, classes, places, or localities when a general law could apply. These provisions may be relevant if a DCT program is created or authorized through legislation that applies only to a particular locality, class, or narrow group, rather than through generally applicable law.

5. Uniform Operation Clauses

Uniform-operation clauses require certain general laws to operate uniformly. This may mean statewide or geographic uniformity, equal operation within a valid class, or both. These provisions may matter where a DCT program is authorized through a general law that creates classifications or geographic distinctions that do not operate uniformly under the state's constitutional standard.

Below is a state-by-state chart, including the District of Columbia, of state constitutional provisions and analogous D.C. statutory provisions that could be used to challenge, defend, or structure DCT programs involving the selective distribution of public benefits.

Equality and Anti-Favoritism Provisions

State	Citation	Key Text / Summary	Provision Type(s)	DCT Relevance / Notes
Alabama	Ala. Const. art. I, § 1	“All men are equally free and independent” and have inalienable rights.	Equal Rights / Equal Protection	Broad equality language; may be relevant to selective eligibility or selection criteria.
Alabama	Ala. Const. art. I, § 22	Legislature may not make “irrevocable or exclusive grants of special privileges or immunities.”	Special Privileges / Privileges or Immunities	May be relevant if a DCT program is framed as granting an exclusive or non-revocable special public benefit to a limited class.
Alabama	Ala. Const. art. IV, §§ 104–105	Prohibits special, private, or local laws in listed cases and in matters already addressed by general law.	Special or Local Laws	May be relevant if a DCT program is created through special or local legislation rather than generally applicable law, depending on the listed subject matter.
Alabama	Ala. Const. art. IV, § 108	General law may not be suspended for the benefit of any individual, private corporation, or association.	Uniform Operation	May be relevant if legislation exempts or benefits a specific person, private corporation, or association.
Alaska	Alaska Const. art. I, § 1	“All persons are equal and entitled to equal rights, opportunities, and protection under the law.”	Equal Rights / Equal Protection	Broad equality language; may be relevant to selective eligibility or selection criteria.
Alaska	Alaska Const. art. I, § 15	No law may make an “irrevocable grant of special privileges or immunities.”	Special Privileges / Privileges or Immunities	May be relevant if a DCT program is framed as granting a special public benefit to a limited group, though likely less direct if the benefit is not irrevocable.
Alaska	Alaska Const. art. II, § 19	Local or special acts are invalid when a general act can be made applicable.	Special or Local Laws	May be relevant if a DCT program is created through special or local legislation rather than generally applicable law.

Arizona	Ariz. Const. art. II, § 13	No law may grant privileges or immunities to a citizen or class of citizens unless they equally belong to all citizens or corporations.	Equal Rights / Equal Protection; Special Privileges / Privileges or Immunities	May be relevant to selective public benefits, eligibility criteria, or selection methods.
Arizona	Ariz. Const. art. II, § 9	No privilege, franchise, or immunity may be granted irrevocably.	Special Privileges / Privileges or Immunities	Less direct than § 13 because it concerns irrevocable grants, but may be relevant as anti-special-privileges language.
Arizona	Ariz. Const. art. IV, § 19	Bars local or special laws in listed areas and where a general law can be made applicable.	Special or Local Laws	May be relevant if a DCT program is created through special or local legislation rather than generally applicable law, depending on the listed subject matter.
Arkansas	Ark. Const. art. 2, § 3	Protects “equality before the law” and prohibits deprivation of rights based on race, color, or previous condition.	Equal Rights / Equal Protection	Broad equality language; may be relevant to selective eligibility or selection criteria.
Arkansas	Ark. Const. art. 2, § 18	No citizen or class of citizens may receive privileges or immunities that do not equally belong to all citizens on the same terms.	Special Privileges / Privileges or Immunities	May be relevant if a DCT program is framed as granting a special public benefit to a limited group.
Arkansas	Ark. Const. amend. 14	General Assembly may not pass any local or special act.	Special or Local Laws	May be relevant if a DCT program is created through local or special legislation rather than generally applicable law.
California	Cal. Const. art. I, § 7(a)	A person may not be denied equal protection of the laws.	Equal Rights / Equal Protection	May be relevant to eligibility criteria or selection methods if similarly situated people are treated differently without sufficient justification.
California	Cal. Const. art. I, § 7(b)	A citizen or class of citizens may not be granted privileges or immunities not granted on the same terms to all citizens.	Special Privileges / Privileges or Immunities	May be relevant if a DCT program is characterized as granting public benefits to one selected class on terms not equally available to others.
California	Cal. Const. art. IV, § 16(a)	Laws of a general nature have uniform operation.	Uniform Operation	May be relevant if a general law creates classifications that do not operate uniformly within the relevant class.

California	Cal. Const. art. IV, § 16(b)	A local or special statute is invalid when a general statute can be made applicable.	Special or Local Laws	May be relevant if a DCT program is created through legislation applying only to a particular locality, class, or narrow group.
Colorado	Colo. Const. art. II, § 25	No person may be deprived of life, liberty, or property without due process of law; Colorado courts have treated this as including equal protection principles. ⁷	Equal Rights / Equal Protection	May be relevant to selective eligibility or selection criteria.
Colorado	Colo. Const. art. II, § 11	No law may make an “irrevocable grant of special privileges, franchises or immunities.”	Special Privileges / Privileges or Immunities	May be relevant if a DCT program is framed as granting a special public benefit to a limited group, though likely less direct if the benefit is not irrevocable.
Colorado	Colo. Const. art. V, § 25	Prohibits special legislation in listed cases and where a general law can apply.	Special or Local Laws	May be relevant if a DCT program is created through special or local legislation rather than generally applicable law, depending on the listed subject matter.
Connecticut	Conn. Const. art. I, § 20	No person may be denied equal protection of the law or subjected to discrimination based on specified protected characteristics.	Equal Rights / Equal Protection	Broad equality language; may be relevant to selective eligibility or selection criteria.
Connecticut	Conn. Const. art. I, § 1	All people are “equal in rights,” and no person or class is entitled to exclusive public emoluments or privileges from the community.	Equal Rights / Equal Protection; Special Privileges / Privileges or Immunities; Emoluments / Common Benefits	May be directly relevant if a DCT program is framed as granting exclusive public benefits or privileges to a limited group.
Connecticut	Conn. Const. art. X, § 1	Limits special legislation concerning municipal powers, organization, terms, or elections.	Special or Local Laws	May be relevant only if a DCT program is created through special legislation affecting a municipality.

⁷ See *Tassian v. People*, 731 P.2d 672, 673 n.1 (Colo. 1987) (“Article II, section 25 of the Colorado Constitution states that ‘[n]o person shall be deprived of life, liberty or property, without due process of law.’ We have held on innumerable occasions that this due process guarantee includes the right to equal protection of the laws.”).

Delaware	Del. Const. art. I, § 21	Equality of rights under the law may not be denied or abridged based on race, color, national origin, or sex.	Equal Rights / Equal Protection	Protected-class equality provision; likely less directly relevant to DCT programs unless eligibility or selection criteria implicate a covered classification.
District of Columbia	D.C. Code § 2-1402.73	District government agencies may not limit or refuse to provide any facility, service, program, or benefit based on protected traits, including race, color, religion, national origin, sex, age, disability, source of income, place of residence or business, or homeless status.	Statutory Civil Rights / Anti-Discrimination	Statutory, not constitutional. May be relevant if DCT eligibility, selection, or administration discriminates based on a protected trait, especially homeless status, source of income, disability, or place of residence/business.
Florida	Fla. Const. art. I, § 2	All natural persons are equal before the law and have inalienable rights.	Equal Rights / Equal Protection	Broad equality language; may be relevant to selective eligibility or selection criteria.
Florida	Fla. Const. art. III, §§ 10–11	Requires notice or referendum for certain special laws and prohibits special laws in listed cases.	Special or Local Laws	May be relevant if a DCT program is created through special or local legislation rather than generally applicable law, depending on the listed subject matter.
Georgia	Ga. Const. art. I, § I, para. II	Protection to person and property is the “paramount duty of government” and must be “impartial and complete”; no person may be denied equal protection of the laws.	Equal Rights / Equal Protection	Broad equality language; may be relevant to selective eligibility or selection criteria.
Georgia	Ga. Const. art. I, § I, para. X	No law may make an “irrevocable grant of special privileges or immunities.”	Special Privileges / Privileges or Immunities	May be relevant if a DCT program is framed as granting a special public benefit to a limited group, though likely less direct if the benefit is not irrevocable.

Georgia	Ga. Const. art. III, § VI, para. IV(a)	Laws of a general nature must have uniform operation throughout the state; no special law may be enacted where an existing general law applies.	Special or Local Laws; Uniform Operation	May be relevant if a DCT program is created through special or local legislation or if a general law treats similarly situated groups differently.
Hawaii	Haw. Const. art. I, § 5	No person may be denied equal protection of the laws or discriminated against in civil rights based on race, religion, sex, or ancestry.	Equal Rights / Equal Protection	Broad equal protection provision; may be relevant to selective eligibility or selection criteria.
Hawaii	Haw. Const. art. I, § 21	State power to act for the general welfare may not be impaired by an irrevocable grant of special privileges or immunities.	Special Privileges / Privileges or Immunities	Likely less direct if the DCT benefit is not irrevocable, but may be relevant as anti-special-privileges language.
Idaho	Idaho Const. art. I, § 2	Government is instituted for the people's "equal protection and benefit"; no special privileges or immunities may be granted unless alterable, revocable, or repealable by the legislature.	Equal Rights / Equal Protection; Special Privileges / Privileges or Immunities	May be relevant to selective eligibility or unequal classification; special-privileges language is likely less direct unless the benefit is not alterable, revocable, or repealable.
Idaho	Idaho Const. art. III, § 19	Legislature may not pass local or special laws in listed cases.	Special or Local Laws	May be relevant if a DCT program is created through special or local legislation in one of the listed prohibited subject areas.
Illinois	Ill. Const. art. I, § 2	No person may be deprived of life, liberty, or property without due process or denied equal protection of the laws.	Equal Rights / Equal Protection	Broad equal protection language; may be relevant to selective eligibility or selection criteria.
Illinois	Ill. Const. art. I, § 16	No law may make an irrevocable grant of special privileges or immunities.	Special Privileges / Privileges or Immunities	May be relevant if a DCT program is framed as granting a special public benefit to a limited group, though likely less direct if the benefit is not irrevocable.

Illinois	Ill. Const. art. IV, § 13	General Assembly may not pass a special or local law when a general law is or can be made applicable.	Special or Local Laws	May be relevant if a DCT program is created through special or local legislation rather than generally applicable law.
Indiana	Ind. Const. art. I, § 23	General Assembly may not grant privileges or immunities to any citizen or class of citizens unless they equally belong to all citizens on the same terms.	Special Privileges / Privileges or Immunities	May be relevant to selective public benefits, eligibility criteria, or selection methods.
Indiana	Ind. Const. art. IV, §§ 22–23	Prohibits local or special laws in listed cases; where a general law can apply, laws must be general and uniformly applicable statewide.	Special or Local Laws; Uniform Operation	May be relevant if a DCT program is created through special or local legislation rather than generally applicable law, depending on the listed subject matter.
Iowa	Iowa Const. art. I, § 1	All men and women are “free and equal” and have inalienable rights.	Equal Rights / Equal Protection	Broad equality language; may be relevant to selective eligibility or selection criteria.
Iowa	Iowa Const. art. I, § 6	General laws must have uniform operation; legislature may not grant privileges or immunities to a citizen or class unless equally available to all citizens on the same terms.	Special Privileges / Privileges or Immunities; Uniform Operation	May be relevant to selective public benefits or unequal classification issues.
Iowa	Iowa Const. art. III, § 30	Prohibits local or special laws in listed cases and requires general/uniform laws where a general law can apply.	Special or Local Laws; Uniform Operation	May be relevant if a DCT program is created through special or local legislation rather than generally applicable law, depending on the listed subject matter.
Kansas	Kan. Const. Bill of Rts., § 2	Government is instituted for the people’s “equal protection and benefit”; no special privileges or immunities may be granted unless alterable, revocable, or repealable by the legislature.	Equal Rights / Equal Protection; Special Privileges / Privileges or Immunities	May be relevant to selective eligibility or unequal classification; special-privileges language is likely less direct unless the benefit is not alterable, revocable, or repealable.

Kansas	Kan. Const. art. II, § 17	Laws of a general nature must have uniform operation throughout the state.	Uniform Operation	May be relevant where a law of general nature does not operate with geographic uniformity throughout the state.
Kentucky	Ky. Const. § 3	All people are equal when they form a social compact; no exclusive, separate public emoluments or privileges may be granted except for public services.	Equal Rights / Equal Protection; Special Privileges / Privileges or Immunities; Emoluments / Common Benefits	May be relevant to selective public benefits or exclusive-benefit arguments.
Kentucky	Ky. Const. §§ 59–60	Prohibits local or special legislation in listed areas and limits special/local laws or special powers where a general law can apply.	Special Privileges / Privileges or Immunities; Special or Local Laws	May be relevant if a DCT program is created through special or local legislation rather than generally applicable law, depending on the listed subject matter.
Louisiana	La. Const. art. I, § 3	No person may be denied equal protection of the laws; laws may not arbitrarily, capriciously, or unreasonably discriminate based on specified characteristics.	Equal Rights / Equal Protection	Broad equal protection language; may be relevant to selective eligibility or selection criteria.
Louisiana	La. Const. art. III, § 12	Prohibits local or special laws on enumerated subjects; also prohibits indirectly enacting local or special laws by partially repealing or suspending a general law.	Special or Local Laws	May be relevant if a DCT program is created through special or local legislation or through partial repeal/suspension of a general law.
Maine	Me. Const. art. I, § 6-A	No person may be denied equal protection of the laws or deprived of civil rights / discriminated against in exercising civil rights based on religion, race, color, sex, sexual orientation, physical or mental disability, ancestry, or national origin.	Equal Rights / Equal Protection	Broad equal-protection and civil-rights provision; may be relevant to selective eligibility or selection criteria, especially if a DCT program implicates a protected characteristic.

Maine	Me. Const. art. IV, pt. 3, § 13	Legislature must provide, as far as practicable, general laws for matters usually addressed by special or private legislation.	Special or Local Laws	May be relevant if a DCT program is created through special/private legislation rather than generally applicable law.
Maryland	Md. Const. Decl. of Rts. art. 24	Protects against deprivation of life, liberty, property, or privileges except by judgment of peers or law of the land; Maryland courts treat this provision as embodying equal protection. ⁸	Equal Rights / Equal Protection	Broad equality-related provision; may be relevant to selective eligibility or selection criteria.
Maryland	Md. Const. Decl. of Rts. art. 46	Equality of rights under the law may not be abridged or denied because of sex.	Equal Rights / Equal Protection	Protected-class equality provision; likely less directly relevant unless DCT eligibility or selection criteria implicate sex.
Maryland	Md. Const. art. III, § 33	Prohibits local or special laws in listed cases and bars special laws where provision has been made by existing general law.	Special or Local Laws	May be relevant if a DCT program is created through special or local legislation rather than generally applicable law, depending on the listed subject matter.
Massachusetts	Mass. Const. amend. art. CVI	All people are born free and equal; equality under law may not be denied or abridged because of sex, race, color, creed, or national origin.	Equal Rights / Equal Protection	Broad equality language; may be relevant to selective eligibility or selection criteria, especially if covered classifications are implicated.
Massachusetts	Mass. Const. pt. I, art. VI	No person, corporation, or association is entitled to particular and exclusive privileges distinct from the community except based on public services.	Special Privileges / Privileges or Immunities; Emoluments / Common Benefits	May be relevant if a DCT program is framed as granting exclusive public benefits or privileges to a limited group.

⁸ See *Tyler v. City of Coll. Park*, 415 Md. 475, 499, 3 A.3d 421, 434 (2010) (“Although the Maryland Constitution contains no similarly expressed equal protection clause, we have observed on numerous occasions that the concept of equal protection is embodied in the due process requirement of Article 24.”).

Massachusetts	Mass. Const. pt. I, art. VII	Government is instituted for the common good, not for the profit, honor, or private interest of any one person, family, or class.	Emoluments / Common Benefits	May be relevant to arguments about whether a public benefit serves a common/public purpose rather than private interests.
Michigan	Mich. Const. art. I, § 2	No person may be denied equal protection of the laws or discriminated against in civil or political rights based on religion, race, color, or national origin.	Equal Rights / Equal Protection	Broad equal protection language; may be relevant to selective eligibility or selection criteria.
Michigan	Mich. Const. art. IV, § 29	Legislature may not pass a local or special act where a general act can be made applicable; local/special acts require two-thirds legislative approval and majority approval by affected electors.	Special or Local Laws	May be relevant if a DCT program is created through special or local legislation rather than generally applicable law.
Minnesota	Minn. Const. art. I, § 2	Protects against deprivation of rights or privileges except by law of the land or judgment of peers; Minnesota courts treat it as the source of state equal protection. ⁹	Equal Rights / Equal Protection	May be relevant to selective eligibility or unequal classification.
Minnesota	Minn. Const. art. XII, §§ 1–2	Prohibits special laws where a general law can apply; also restricts local or special laws granting special or exclusive privileges, immunities, franchises, or taxation for private purposes.	Special Privileges / Privileges or Immunities; Special or Local Laws	May be relevant if a DCT program is created through special legislation or framed as granting a special or exclusive public benefit.

⁹ See *Fletcher Props., Inc. v. City of Minneapolis*, 947 N.W.2d 1, 20 n.13 (Minn. 2020) (“The Minnesota equal protection guarantee is found in the Rights and Privileges Clause in Article 1, Section 2 of the Minnesota Constitution.”).

Mississippi	Miss. Const. art. IV, § 87	No special or local law may be enacted for the benefit of individuals or corporations when the matter can be provided for by general law.	Special or Local Laws	May be relevant if a DCT program is created through special or local legislation benefiting a limited group.
Missouri	Mo. Const. art. I, § 2	All persons are created equal and entitled to equal rights and opportunity under the law.	Equal Rights / Equal Protection	Broad equality language; may be relevant to selective eligibility or selection criteria.
Missouri	Mo. Const. art. I, § 13	No law may make an irrevocable grant of special privileges or immunities.	Special Privileges / Privileges or Immunities	May be relevant if a DCT program is framed as granting a special public benefit to a limited group, though likely less direct if the benefit is not irrevocable.
Missouri	Mo. Const. art. III, § 40	General Assembly may not pass local or special laws in listed cases, including laws granting special or exclusive rights, privileges, or immunities, and where a general law can be made applicable.	Special Privileges / Privileges or Immunities; Special or Local Laws	May be relevant if a DCT program is created through special or local legislation or framed as granting a special or exclusive public benefit, depending on the listed subject matter.
Montana	Mont. Const. art. II, § 4	No person may be denied equal protection of the laws or discriminated against in civil or political rights based on race, color, sex, culture, social origin or condition, or political or religious ideas.	Equal Rights / Equal Protection	Broad equal protection language; may be relevant to selective eligibility or selection criteria.
Montana	Mont. Const. art. II, § 31	No law may make an irrevocable grant of special privileges, franchises, or immunities.	Special Privileges / Privileges or Immunities	May be relevant if a DCT program is framed as granting a special public benefit to a limited group, though likely less direct if the benefit is not irrevocable.
Montana	Mont. Const. art. V, § 12	Legislature may not pass a special or local act when a general act is or can be made applicable.	Special or Local Laws	May be relevant if a DCT program is created through special or local legislation rather than generally applicable law.

Nebraska	Neb. Const. art. I, § 3	No person may be deprived of life, liberty, or property without due process or denied equal protection of the laws.	Equal Rights / Equal Protection	Broad equal protection language; may be relevant to selective eligibility or selection criteria.
Nebraska	Neb. Const. art. I, § 16	No law may make an irrevocable grant of special privileges or immunities.	Special Privileges / Privileges or Immunities	May be relevant if a DCT program is framed as granting a special public benefit to a limited group, though likely less direct if the benefit is not irrevocable.
Nebraska	Neb. Const. art. III, § 18	Legislature may not pass local or special laws in listed cases, including laws granting special or exclusive privileges, immunities, or franchises; where a general law can be made applicable, no special law may be enacted.	Special Privileges / Privileges or Immunities; Special or Local Laws	May be relevant if a DCT program is created through special or local legislation, especially where a general law could apply or the legislation grants special or exclusive benefits, depending on the listed subject matter.
Nevada	Nev. Const. art. I, § 24	Equality of rights under the law may not be denied or abridged based on race, color, creed, sex, sexual orientation, gender identity or expression, age, disability, ancestry, or national origin.	Equal Rights / Equal Protection	Protected-class equality provision; may be relevant if DCT eligibility or selection criteria implicate a covered classification.
Nevada	Nev. Const. art. IV, §§ 20–21	Prohibits local or special laws in listed cases; where a general law can be made applicable, laws must be general and have uniform operation throughout the state.	Special or Local Laws; Uniform Operation	May be relevant if a DCT program is created through special or local legislation, depending on the listed subject matter, or if a general law does not operate uniformly.
New Hampshire	N.H. Const. pt. I, art. 1	All people are born equally free and independent.	Equal Rights / Equal Protection	Broad equality language; may be relevant to selective eligibility or selection criteria.
New Hampshire	N.H. Const. pt. I, art. 10	Government is instituted for the common benefit and not for the private interest or emolument of any one person, family, or class.	Emoluments / Common Benefits	May be relevant if a DCT program is framed as conferring private benefit without sufficient public justification.

New Hampshire	N.H. Const. pt. I, art. 2	All persons have natural, essential, and inherent rights; equality of rights under the law may not be denied or abridged because of race, creed, color, sex, or national origin.	Equal Rights / Equal Protection	Broad natural-rights and protected-class equality provision; may be relevant to selective eligibility or selection criteria, especially if covered classifications are implicated.
New Jersey	N.J. Const. art. I, para. 1	All persons are by nature free and independent and have natural and unalienable rights; New Jersey courts interpret this provision to include equal-protection principles. ¹⁰	Equal Rights / Equal Protection	May be relevant to selective eligibility or unequal classification.
New Jersey	N.J. Const. art. IV, § VII, para. 9	Legislature may not pass private, special, or local laws in listed cases, including laws granting exclusive privileges, immunities, or franchises.	Special Privileges / Privileges or Immunities; Special or Local Laws	May be relevant if a DCT program is created through special or local legislation, depending on the listed subject matter, or framed as granting an exclusive privilege or benefit.
New Mexico	N.M. Const. art. II, § 18	No person may be denied equal protection of the laws; equality of rights may not be denied on account of sex.	Equal Rights / Equal Protection	Broad equal protection language; may be relevant to selective eligibility or selection criteria.
New Mexico	N.M. Const. art. IV, § 24	Legislature may not pass local or special laws in listed cases, including laws granting special or exclusive privileges, immunities, or franchises; where a general law can be made applicable, no special law may be enacted.	Special Privileges / Privileges or Immunities; Special or Local Laws	May be relevant if a DCT program is created through special or local legislation, depending on the listed subject matter, or framed as granting a special or exclusive public benefit.

¹⁰ See *Lewis v. Harris*, 188 N.J. 415, 442, 908 A.2d 196, 211 (2006) (“Although our State Constitution nowhere expressly states that every person shall be entitled to the equal protection of the laws, we have construed the expansive language of Article I, Paragraph 1 to embrace that fundamental guarantee.”).

New York	N.Y. Const. art. I, § 11	No person may be denied equal protection of the laws; civil-rights discrimination is prohibited based on race, color, ethnicity, national origin, age, disability, creed, religion, or sex, including sexual orientation, gender identity, gender expression, pregnancy, pregnancy outcomes, and reproductive healthcare and autonomy.	Equal Rights / Equal Protection	Broad equal-protection and civil-rights provision; may be relevant to selective eligibility or selection criteria, especially if a covered classification is implicated.
New York	N.Y. Const. art. III, § 17	Legislature may not pass private or local bills in listed cases.	Special or Local Laws	May be relevant if a DCT program is created through private or local legislation rather than generally applicable law, depending on the listed subject matter.
North Carolina	N.C. Const. art. I, § 19	No person may be denied equal protection of the laws or subjected to discrimination by the State based on race, color, religion, or national origin.	Equal Rights / Equal Protection	Broad equal protection language; may be relevant to selective eligibility or selection criteria.
North Carolina	N.C. Const. art. I, § 32	No person or set of persons is entitled to exclusive or separate emoluments or privileges except in consideration of public services.	Special Privileges / Privileges or Immunities; Emoluments / Common Benefits	May be relevant to selective public benefits or exclusive-benefit arguments.
North Carolina	N.C. Const. art. II, § 24	Prohibits local, private, or special acts in listed cases and voids acts enacted in violation of the section.	Special or Local Laws	May be relevant if a DCT program is created through local, private, or special legislation, depending on the listed subject matter.
North Carolina	N.C. Const. art. XIV, § 3	When general or uniformly applicable laws are required, no special or local act may be enacted on that subject.	Special or Local Laws; Uniform Operation	May be relevant where the issue is whether legislation should have been general or uniformly applicable.

North Dakota	N.D. Const. art. I, § 1	All individuals are by nature equally free and independent and have certain inalienable rights.	Equal Rights / Equal Protection	Broad equality language; may be relevant to selective eligibility or selection criteria.
North Dakota	N.D. Const. art. I, § 21	No special privileges or immunities may be granted unless alterable, revocable, or repealable; no citizen or class may receive privileges or immunities not granted to all citizens on the same terms.	Special Privileges / Privileges or Immunities	May be relevant to selective public benefits or unequal classification; irrevocable-grant language is likely less direct unless the benefit is not alterable, revocable, or repealable.
North Dakota	N.D. Const. art. I, § 22	All laws of a general nature must have uniform operation.	Uniform Operation	May be relevant where a law of general nature does not operate uniformly within the relevant class.
North Dakota	N.D. Const. art. IV, § 13	No local or special laws may be enacted, including indirectly by partial repeal of a general law.	Special or Local Laws	May be relevant if a DCT program is created through special or local legislation rather than generally applicable law.
Ohio	Ohio Const. art. I, § 2	Government is instituted for equal protection and benefit; no special privileges or immunities may be granted unless alterable, revocable, or repealable.	Equal Rights / Equal Protection; Special Privileges / Privileges or Immunities	May be relevant to selective eligibility, unequal classification, or special-privilege arguments; special-privileges language is likely less direct unless the benefit is not alterable, revocable, or repealable.
Ohio	Ohio Const. art. II, § 26	Laws of a general nature must have uniform operation throughout the state.	Uniform Operation	May be relevant where a general law creates classifications that do not operate uniformly statewide.
Oklahoma	Okla. Const. art. II, § 36A	State may not grant preferential treatment to, or discriminate against, any individual or group based on race, color, sex, ethnicity, or national origin in the operation of public employment, public education, or public contracting.	Equal Rights / Equal Protection	Public employment/education/contracting equality provision; likely relevant only if a DCT program is administered in the operation of public employment, public education, or public contracting, or if program administration uses listed classifications in those contexts.

Oklahoma	Okla. Const. art. V, § 51	Legislature may not grant any association, corporation, or individual exclusive rights, privileges, or immunities.	Special Privileges / Privileges or Immunities	May be relevant if a DCT program is framed as granting exclusive public benefits to a limited group.
Oklahoma	Okla. Const. art. V, § 46	Legislature may not pass local or special laws in listed areas.	Special or Local Laws	May be relevant if a DCT program is created through special or local legislation, depending on the listed subject matter.
Oklahoma	Okla. Const. art. V, § 59	Laws of a general nature must have uniform operation statewide; no special law may be enacted where a general law can apply.	Special or Local Laws; Uniform Operation	May be relevant if a general DCT law creates nonuniform classifications or if a special law is used where a general law could apply.
Oregon	Or. Const. art. I, § 1	All people are “equal in right” when they form a social compact; all power is inherent in the people.	Equal Rights / Equal Protection	Broad equality language; may be relevant to selective eligibility or selection criteria.
Oregon	Or. Const. art. I, § 20	No law may grant privileges or immunities to a citizen or class of citizens unless they equally belong to all citizens on the same terms.	Special Privileges / Privileges or Immunities	May be relevant to selective public benefits or unequal classification issues.
Oregon	Or. Const. art. IV, § 23	Legislative Assembly may not pass special or local laws in listed cases.	Special or Local Laws	May be relevant if a DCT program is created through special or local legislation in one of the listed prohibited subject areas, depending on the listed subject matter.
Pennsylvania	Pa. Const. art. I, § 1	All people are born equally free and independent and have inherent rights.	Equal Rights / Equal Protection	Broad equality language; may be relevant to selective eligibility or selection criteria.
Pennsylvania	Pa. Const. art. I, § 17	No law may make an irrevocable grant of special privileges or immunities.	Special Privileges / Privileges or Immunities	May be relevant if a DCT program is framed as granting a special public benefit to a limited group, though likely less direct if the benefit is not irrevocable.

Pennsylvania	Pa. Const. art. I, § 26	Commonwealth and political subdivisions may not deny civil rights or discriminate in the exercise of civil rights.	Equal Rights / Equal Protection	Civil-rights equality provision; may be relevant if DCT eligibility or selection criteria implicate civil-rights discrimination.
Pennsylvania	Pa. Const. art. I, §§ 28–29	Equality of rights under the law may not be denied or abridged because of sex, race, or ethnicity.	Equal Rights / Equal Protection	Protected-class equality provisions; likely less directly relevant unless DCT eligibility or selection criteria implicate sex, race or ethnicity.
Pennsylvania	Pa. Const. art. III, § 32	General Assembly may not pass local or special laws where the matter has been or can be provided for by general law; also prohibits local or special laws in listed areas and indirect enactment by partial repeal of a general law.	Special or Local Laws	May be relevant if a DCT program is created through local or special legislation rather than through generally applicable law, depending on the listed subject matter.
Rhode Island	R.I. Const. art. I, § 2	Requires laws to serve the good of the whole, fairly distribute burdens, and provide equal protection of the laws.	Equal Rights / Equal Protection; Emoluments / Common Benefits	Broad public-good/fairness/equal-protection provision; may be relevant to selective-benefit or unequal-classification arguments.
South Carolina	S.C. Const. art. I, § 3	Privileges and immunities may not be abridged, and no person may be denied equal protection of the laws.	Equal Rights / Equal Protection; Special Privileges / Privileges or Immunities	Broad equal protection and privileges/immunities language; may be relevant to selective eligibility or public benefits limited to a particular group.
South Carolina	S.C. Const. art. III, § 34	General Assembly may not enact special laws in listed cases where a general law can be made applicable.	Special or Local Laws	May be relevant if a DCT program is created through special or local legislation rather than generally applicable law, depending on the listed subject matter.
South Dakota	S.D. Const. art. VI, § 1	All people are born equally free and independent and have inherent rights.	Equal Rights / Equal Protection	Broad equality language; may be relevant to selective eligibility or selection criteria.

South Dakota	S.D. Const. art. VI, § 18	No law may grant privileges or immunities to a citizen or class of citizens unless they equally belong to all citizens or corporations.	Special Privileges / Privileges or Immunities	May be relevant to selective public benefits or unequal classification issues.
South Dakota	S.D. Const. art. VI, § 26	Government is instituted for the people's equal protection and benefit.	Equal Rights / Equal Protection; Emoluments / Common Benefits	Broad equal-protection/common-benefit language; may be relevant to arguments about whether a program serves equal/public benefit.
South Dakota	S.D. Const. art. III, § 23	Legislature may not pass private or special laws in listed cases, including laws granting special or exclusive privileges, immunities, or franchises; where a general law can apply, no special law may be enacted.	Special Privileges / Privileges or Immunities; Special or Local Laws	May be relevant if a DCT program is created through private or special legislation, depending on the listed subject matter, especially where a general law could apply or the legislation grants special or exclusive benefits.
Tennessee	Tenn. Const. art. I, § 8	Protects against deprivation of liberty, privileges, or property except by judgment of peers or law of the land; Tennessee courts treat this provision, together with Art. XI, § 8, as providing equal protection. ¹¹	Equal Rights / Equal Protection	May be relevant to selective eligibility or classification challenges where similarly situated people are treated differently.
Tennessee	Tenn. Const. art. XI, § 8	Legislature may not suspend general laws for the benefit of particular individuals or grant rights, privileges, immunities, or exemptions not equally available to members of the community.	Special Privileges / Privileges or Immunities; Uniform Operation	May be relevant to selective public benefits, exemptions, or unequal treatment under general laws.

¹¹ See *Tennessee Small Sch. Sys. v. McWherter*, 851 S.W.2d 139, 152 (Tenn. 1993) (stating that Tenn. Const. art. I, § 8 and art. XI, § 8 “confer essentially the same protection” as federal equal protection).

Texas	Tex. Const. art. I, § 3	All freemen have equal rights; no person or set of persons is entitled to exclusive separate public emoluments or privileges except for public services.	Equal Rights / Equal Protection; Special Privileges / Privileges or Immunities; Emoluments / Common Benefits	May be relevant to selective public benefits or exclusive-benefit arguments; this provision has been invoked in DCT litigation.
Texas	Tex. Const. art. III, § 56	Legislature may not pass local or special laws in listed areas; where a general law can be made applicable, no local or special law may be enacted.	Special or Local Laws	May be relevant if a DCT program is created through special or local legislation rather than generally applicable law, depending on the listed subject matter.
Utah	Utah Const. art. I, § 23	No law may irrevocably grant any franchise, privilege, or immunity.	Special Privileges / Privileges or Immunities	May be relevant if a DCT program is framed as granting a special public benefit to a limited group, though likely less direct if the benefit is not irrevocable.
Utah	Utah Const. art. VI, § 26	No private or special law may be enacted where a general law can be applicable.	Special or Local Laws	May be relevant if a DCT program is created through private or special legislation rather than generally applicable law.
Utah	Utah Const. art. I, § 24	All laws of a general nature must have uniform operation.	Uniform Operation	May be relevant to unequal classification or nonuniform operation of a general law.
Vermont	Vt. Const. ch. I, art. 1	All persons are born equally free and independent and have natural rights.	Equal Rights / Equal Protection	Broad equality language; may be relevant to selective eligibility or selection criteria.
Vermont	Vt. Const. ch. I, art. 7	Government is instituted for the common benefit, protection, and security of the people, not for the particular emolument or advantage of any person, family, or set of persons.	Emoluments / Common Benefits	May be relevant if a DCT program is challenged as conferring private or class-based benefit rather than serving a public purpose.
Virginia	Va. Const. art. I, § 1	All people are by nature equally free and independent and have inherent rights.	Equal Rights / Equal Protection	Broad equality language; may be relevant to selective eligibility or selection criteria.

Virginia	Va. Const. art. I, § 4	No person or set of persons is entitled to exclusive or separate emoluments or privileges except in consideration of public services.	Special Privileges / Privileges or Immunities; Emoluments / Common Benefits	May be relevant to selective public benefits or exclusive-benefit arguments.
Virginia	Va. Const. art. IV, § 14	General Assembly may not enact local, special, or private laws in listed cases, including laws granting special or exclusive rights, privileges, or immunities to a private corporation, association, or individual.	Special Privileges / Privileges or Immunities; Special or Local Laws	May be relevant if a DCT program is created through local, special, or private legislation, depending on the listed subject matter, or framed as granting a special or exclusive benefit to a private person or entity.
Virginia	Va. Const. art. IV, § 15	No private corporation, association, or individual may be specially exempted from general law, and general law may not be suspended for their benefit.	Uniform Operation	May be relevant if legislation exempts or benefits a specific private person or entity from a generally applicable law.
Washington	Wash. Const. art. XXXI, § 1	Equality of rights and responsibility under the law may not be denied or abridged on account of sex.	Equal Rights / Equal Protection	Protected-class equality provision; may be relevant if DCT eligibility or selection criteria implicate sex.
Washington	Wash. Const. art. I, § 12	No law may grant privileges or immunities to any citizen, class of citizens, or corporation unless they equally belong to all citizens or corporations on the same terms.	Special Privileges / Privileges or Immunities	May be relevant to selective public benefits or unequal classification issues.
Washington	Wash. Const. art. II, § 28	Legislature may not enact private or special laws in listed cases.	Special or Local Laws	May be relevant if a DCT program is created through private or special legislation in one of the listed prohibited subject areas.
West Virginia	W. Va. Const. art. III, § 1	All people are by nature equally free and independent and have inherent rights.	Equal Rights / Equal Protection	Broad equality language; may be relevant to selective eligibility or selection criteria.

West Virginia	W. Va. Const. art. VI, § 39	Legislature may not pass local or special laws in listed cases; no special act may be passed where a general law would be proper and can apply.	Special or Local Laws; Uniform Operation	May be relevant if a DCT program is created through special or local legislation rather than generally applicable law, depending on the listed subject matter.
West Virginia	W. Va. Const. art. VI, § 39a	Prohibits local or special laws incorporating or amending charters of cities, towns, or villages.	Special or Local Laws	May be relevant only if DCT authority is created through special legislation affecting a city charter or municipal powers.
Wisconsin	Wis. Const. art. I, § 1	All people are born equally free and independent and have inherent rights.	Equal Rights / Equal Protection	Broad equality language; may be relevant to selective eligibility or selection criteria.
Wisconsin	Wis. Const. art. IV, § 31	Legislature may not enact special or private laws in listed cases.	Special or Local Laws	May be relevant if a DCT program is created through special or private legislation, depending on the listed subject matter.
Wyoming	Wyo. Const. art. I, § 2	All members of the human race are equal in their inherent right to life, liberty, and the pursuit of happiness.	Equal Rights / Equal Protection	Broad equality language; may be relevant to selective eligibility or selection criteria.
Wyoming	Wyo. Const. art. I, § 3	Political rights and privileges must be without distinction based on race, color, sex, or other condition except individual incompetency or unworthiness determined by court.	Equal Rights / Equal Protection	Political-rights-specific; likely less directly relevant unless DCT eligibility implicates political/civic rights or protected classifications.
Wyoming	Wyo. Const. art. I, § 34	All laws of a general nature must have uniform operation.	Uniform Operation	May be relevant to unequal classification or nonuniform operation of general laws.
Wyoming	Wyo. Const. art. III, § 27	Legislature may not pass local or special laws in listed cases, including grants of special or exclusive privileges, immunities, or franchises.	Special Privileges / Privileges or Immunities; Special or Local Laws	May be relevant if a DCT program is created through local or special legislation in one of the listed prohibited subject areas, including legislation granting a special or exclusive privilege, immunity, or franchise.