Reserved Powers

States are allowed to exercise all powers that have not been given to the national government or not specifically prohibited to the states. Consequently, states have a wide scope in regulating their residents’ lives, as long as they do not violate their constitutional rights.

Powers Denied to States

Powers expressly denied to the states in the Constitution
These denied powers are outlined in Article I, Section 10, Clauses 1-3.

Powers denied because of the structure of a federal system
Within a federal system, state and national governments are granted certain exclusive powers. Therefore, the state government cannot implement any laws that would undermine the national government.

Amendment 10 to the Constitution states that “The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.”

For instance, some states have implemented capital punishment for certain crimes, while others have not. Also, states have different requirements for obtaining a driver’s license.

States may not enter into alliances or treaties with other nations. This function and power has been exclusively granted to the national government.

State governments cannot tax the functions of the national government or declare war. Also, each state has its own constitution that also denies it certain powers.