



Written by [Bob Adelman](#) on December 6, 2021

Cato: New Hampshire Freest State; New York Still Least Free

There were few surprises in the Cato Institute's [sixth annual "Freedom in the 50 States" report](#) released last week: New Hampshire is No. 1 while New York is No. 50. And for the same reasons. In New Hampshire, government is the most restricted, allowing the state's citizens the most freedom. In New York, it's the reverse: The state's citizens are controlled, mandated, restricted, regulated, and heavily taxed.

In determining its rankings, the institute measures three broad categories in each state: personal freedoms (smoking, licensing, speed limits, marijuana, starting and running a business, etc.); fiscal policies (state debt, pension liabilities versus assets, income and sales taxes, etc.); and regulatory policies (speed limits, helmet laws, COVID mandates, zoning, and so forth).

Without saying so out loud, eight of the top 10 states for freedom in Cato's ranking are run by Republicans, while eight of the 10 least-free states are run by Democrats. It's ideology in practice: The freest states value freedom by limiting government, while in the least-free states, governments have been allowed to interfere and trespass personal freedoms almost without limit.

New Hampshire:

New Hampshire grabs the top spot overall because it does well in both economic freedom (3rd) and personal freedom (2nd)....

New Hampshire's overall tax burden is well below the national average at 8.1 percent. The state government taxes less than any other state but Alaska [which ranks 24th in overall freedom]....

New Hampshire's regulatory outlook is not so sunny.... The Granite State's primary sin is exclusionary zoning ... [along with] the absence of a right-to-work law [and] no exceptions to the [state's] workers' compensation mandate....

The state is above average on occupational freedom solely because the health professions enjoy broad scope of practice....

New Hampshire is quite personally free.... Nondrug victimless crime arrests are down significantly [and] the state enacted a significant asset forfeiture reform in 2016....

Educational freedom is extensive in the Granite State.... A 2021 expanded ESA (Educational



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Savings Account) will help the state improve its ranking in this category....

It is one of the two best states in the country for gun rights. The “constitutional carry” [no permit needed] bill was enacted [in 2017].

On the other hand, New York deserves to be dead last as it has been rated by Cato for years. “In fact,” wrote the authors of the study, “the Empire State has been the worst state for freedom in every year since our data set began in 2000.”

The state levies both state and local taxes, which together (7.9 percent plus 6.6 percent, respectively) total 14.5 percent, almost twice that of New Hampshire’s. From a regulatory perspective, New York, New Jersey, and California are nearly tied as worst in the nation. Wrote the authors, “Land-use freedom is very low, primarily because of the economically devastating rent control law in New York City.” It has a minimum-wage law and a disability insurance mandate, plus paid family leave.

From the perspective of personal freedom, New York ranks last because, wrote the authors, “New York is perhaps the worst state for homeschoolers.... It has no private school choice program, and only a meager public program.”

As for the Second Amendment, “gun rights are hedged about with all kinds of restrictions,” wrote the authors. [A case now pending](#) before the Supreme Court is likely to change all of that, however, making it vastly easier for the state’s citizens to obtain a concealed-carry permit than it is currently. With that single victory, New York might be able to move out of the basement on freedom in Cato’s study next year.

For the record, here are the top and bottom states from the Cato study, along with the governor’s party:

In overall freedom, the top 10 states are:

New Hampshire – Republican governor

Florida – Republican governor

Nevada – Democratic governor

Tennessee – Republican governor

South Dakota – Republican governor

Indiana – Republican governor

Michigan – Democratic governor

Georgia – Republican governor

Arizona – Republican governor

Idaho – Republican governor

The worst 10 states for freedom:

New York – Democratic governor

Hawaii – Democratic governor

California – Democratic governor



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New Jersey - Democratic governor

Oregon - Democratic governor

Maryland - Republican governor

Delaware - Democratic governor

Vermont - Republican governor

New Mexico - Democratic governor

Rhode Island - Democratic governor



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