

# FREEDOM INDEX.US

## LEGISLATIVE SCORECARD BASED ON THE THE U.S. CONSTITUTION

The Legislative Scorecard is a nationwide, nonpartisan educational program of The John Birch Society intended to inform voters about legislators' voting records. It does not promote any candidate or political party. Bills are chosen for their constitutional implications and taxpayer costs.



### Does Your Legislator Vote for Freedom?

Scan to view Penry Gustafson's voting history.  
[freedomindex.us/10566/](https://freedomindex.us/10566/)

### View the Freedom Toolbox

Scan to learn more about the Freedom Index, view legislative alerts, and deepen your understanding of the U.S. Constitution and America's founding principles. Visit [freedomindex.us/tools](https://freedomindex.us/tools)



## Penry Gustafson

South Carolina  
Senator, SD-027 (R)

[freedomindex.us/10566/](https://freedomindex.us/10566/)

39

Lifetime  
Freedom  
Score

## SC Legislative Scorecard 2024

Based on the Principles of the U.S. Constitution

★ Constitutional	✗ Unconstitutional	? Did not Vote	Vote
1. <b>H5100 State Budget</b> (passed 41 to 0 on 5/8/2024). Serves as the \$14.5 billion General Appropriations Act for fiscal year 2024-25. Estimated cost per household: <b>-\$6,788.00/year.</b>			<b>YES</b> ✗
2. <b>H4624 Ban on Sex Mutilation of Children</b> (passed 28 to 8 on 5/2/2024). Bans a health care professional from engaging in the provision or performance of "gender transition procedures" to a person under 18 years of age.			<b>YES</b> ★
3. <b>J35 Defeating James Smith for Circuit Court Judge</b> (passed 24 to 21 on 4/17/2024). Prevented former State Rep. and Democratic gubernatorial candidate James Smith from being elected to the position of Circuit Court Judge, 5th Judicial Circuit, Seat 1.			<b>YES</b> ★
4. <b>S1126 U.S. Citizenship Requirement to Vote</b> (passed 40 to 3 on 4/3/2024). Proposes to amend the state's constitution to provide that only a citizen of the United States and South Carolina who is at least 18 years of age and properly registered is entitled to vote.			<b>YES</b> ★
5. <b>S915 South Carolina "Health Czar" Bill</b> (passed 44 to 1 on 2/21/2024). Would create the office of the Secretary of Public Health and Policy to develop a "cohesive, coordinated, and comprehensive State Health Services Plan."			<b>YES</b> ✗
6. <b>SA13-H3594 "Gun-Free Zones"</b> (passed 22 to 20 on 1/30/2024). Mandates stiffer criminal penalties for persons who carry handguns into various locations specified by law, regardless of whether they have a concealed weapons permit.			<b>NO</b> ★

Scorecard Votes: 67%

# Why do these votes matter?

---

## 1. 2024-25 State Budget

H5100 is the \$14.5 billion General Appropriations Act for FY 2024-25.

This bill is comprised of profligate amounts of illegitimate taxation and spending. Not only is it full of numerous earmarks and pet projects that far exceed income and property tax relief, but it doubles the funding to the Office of Resilience, which seeks to implement Biden-Harris' pro-UN Agenda 2030 "Green New Deal" policies. Individual liberty and state sovereignty require fiscal responsibility. South Carolina should end big government and reckless out-of-control spending by eliminating the immoral and anti-constitutional forms of taxation that take from citizens the wages they have rightfully earned.

---

## 2. Ban on Sex Mutilation of Children

H4624 bans a health care professional from engaging in the provision or performance of "gender transition procedures" to a person under 18 years of age.

No person has a right to harm a child using the pretext of LGBTQ+ ideology. Sex mutilation against minor children violates their "unalienable" right to life and limb, as it absurdly attempts to erase their biological sex with fictional "gender identity" constructs. According to the Bill of Rights and the 14th Amendment of the U.S. Constitution, every State has a duty to defend the basic humanity of its citizens, each of whom is born distinctly male or female, and, as the Declaration of Independence affirms, created equally in the image of God.

---

## 3. Defeating James Smith for Circuit Court Judge

J35 prevented former State Representative and Democratic gubernatorial candidate James Smith from being elected to the position of Circuit Court Judge, 5th Judicial Circuit, Seat 1.

Justice is the overall purpose of civil government, and the care of human life—not its destruction—is its greatest responsibility. However, a judicial system is only as good as those who apply the law. James Smith's open and unabashed support for abortion, as revealed in his endorsement from Planned Parenthood, renders him unfit to hold public office, particularly that of a judge. The right to life is the most fundamental, God-given, and "unalienable" right asserted in the Declaration of Independence and guaranteed by the Fifth and 14th Amendments to the U.S. Constitution.

## 4. U.S. Citizenship Requirement to Vote

S1126 proposes to amend the state's constitution to provide that only a citizen of the United States and South Carolina who is at least eighteen years of age and properly registered is entitled to vote.

The U.S. Constitution was written to "promote of the general Welfare" of American citizens. Only "We the People of the United States"—who, owing true faith and allegiance to the Constitution and are not subject to any foreign power—retain the "right of Representation in the Legislature." South Carolina should exercise its authority under Article I, Section 4, of the Constitution, as well as the 14th and 26th Amendments, to implement free, fair, and secure elections, thereby ensuring equal protection of "the right of citizens of the United States to vote."

---

## 5. South Carolina "Health Czar" Bill

S915 would create the office of the Secretary of Public Health and Policy to develop a "cohesive, coordinated, and comprehensive State Health Services Plan."

This bill would consolidate several state agencies into one and put a single person or 'health czar' in control of South Carolina's public-health bureaucracy. In addition, the new office within the executive branch would have "emergency powers, in addition to its existing powers, over persons as necessary" to issue orders prescribing "restrictive measures," such as mask mandates, quarantines, or vaccinations. Yet, "public health" is not the legitimate object of government, as an individual's non-injurious personal health care decisions should be considered private matters not under federal, state, or local jurisdiction in the United States. Compelling every person to receive or pay for "preventive" medical treatment violates the fundamental rights of the people protected by the Bill of Rights and the 14th Amendment.

---

## 6. "Gun-Free Zones"

SA13-H3594 mandates stiffer criminal penalties for persons who carry handguns into various locations specified by law, regardless of whether they have a concealed weapons permit.

"Gun-free zones" are blatantly unconstitutional and demonstrably unsafe. Every person has an "unalienable" natural right to self-defense, irrespective of their location, which is why the Second Amendment to the U.S. Constitution expressly declares that "the right of the people to keep and bear Arms, shall not be infringed."