



Tom Fernandez

South Carolina
Senator, SD-039 (R)

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SC Legislative Scorecard 2025

Based on the Principles of 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.

★ Constitutional ✗ Unconstitutional ? Did not Vote

Vote

1. **S136 Dismissal of Gun-possession Charges (Passed 40 to 2 on 5/28/2025).** Dismisses and expunges pre-2024 unlawful-handgun-possession charges or one prior conviction, shields such cases from civil suits, and requires applications within five years.

YES



2. **HCR3008 Con-Con: Term Limits (Passed 29 to 14 on 5/7/2025).** Applies to Congress for an Article V constitutional convention limited to proposing an amendment that would impose term limits on members of the U.S. House and Senate.

NONE



3. **S477 Pharmacist-prescribed Birth Control (Passed 44 to 0 on 5/6/2025).** Expands access to hormonal birth control by allowing pharmacists to dispense "self-administered hormonal contraceptives" without a patient-specific doctor's prescription.

YES



4. **S102 Millage Rates: Property-tax Increase (Passed 37 to 2 on 5/1/2025).** Allows municipalities without an existing operating millage to impose one, capped at one-third of the previous year's general fund or proposed budget.

NONE



5. **S163 Central Bank Digital Currency Ban (Passed 38 to 1 on 5/1/2025).** Prohibits state and local governments from accepting or requiring payment in a central bank digital currency (CBDC) or participating in CBDC testing.

NONE



6. **S425 "Free" School Meals (Passed 45 to 0 on 4/1/2025).** Forces South Carolina school districts to track student poverty, expand taxpayer-funded school meals, assist with applications, ban "lunch shaming," and consider joining the federal Community Eligibility Provision.

YES



Scorecard Votes: 33%



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\$288,860

U.S. National Debt Per Household as of April 23, 2026

Why do these votes matter?

1. Dismissal of Gun-possession Charges

S136 requires the state to dismiss and expunge pending charges for unlawful possession of a handgun if those charges relate to events that occurred before the enactment of the South Carolina Constitutional Carry / Second Amendment Preservation Act of 2024.

The South Carolina State Senate passed S136 on May 28, 2025 by a vote of 40 to 2. We have assigned pluses to the ayes because this bill rightly restores the Second Amendment-protected rights of individuals who were previously prosecuted under unconstitutional handgun restrictions. By dismissing and expunging these charges, the Senate acknowledges that such prosecutions violated the God-given right to keep and bear arms.

2. Con-Con: Term Limits

HCR3008 applies to Congress for an Article V convention limited to proposing an amendment that would impose term limits on members of congress. It specifies that the convention may only address term limits, forbid altering the Bill of Rights or key amendments, block congressional control over convention, and preserve the state's right to control its delegates.

The South Carolina State Senate passed HCR3008 on May 7, 2025 by a vote of 29 to 14. We have assigned pluses to the nays because although framed as "limited," such a convention could become a "runaway convention" with the power to rewrite or significantly alter the U.S. Constitution—jeopardizing the very protections that limit government power. Article V was intended to correct structural defects in the Constitution, not to address the failure of elected officials to uphold their oath of office.

3. Pharmacist-prescribed Birth Control

S477 would expand access to hormonal birth control by allowing pharmacists to dispense "self-administered hormonal contraceptives," and in some cases injectables, without a patient-specific doctor's prescription.

The South Carolina State Senate passed S477 on May 6, 2025 by a vote of 44 to 0. We have assigned pluses to the nays because this bill dangerously normalizes hormonal contraceptives by allowing them to be dispensed without a doctor's oversight, risking missed diagnoses and potential abuse by traffickers. Many of these drugs act as abortifacients by preventing implantation of a developing preborn child, resulting in silent abortions.

4. Millage Rates: Property-tax Increase

S102 would let municipalities that didn't have an operating millage begin to impose one. The amount they could raise would be capped: The millage could generate up to one-third of what the municipality's general fund cost.

The South Carolina State Senate passed S102 on May 1, 2025 by a vote of 37 to 2. We have assigned pluses to the nays because property taxes are an immoral and unconstitutional form of government-imposed theft. True ownership cannot exist if citizens must continually pay the state for the right to keep their own land—failing to do so results in government seizure, proving that the state, not the individual, is the ultimate owner.

5. Central Bank Digital Currency Ban

S163 prohibits state and local governments from accepting or requiring payment in a CBDC or participating in CBDC testing, while allowing individuals and businesses to use other digital currencies.

The South Carolina State Senate passed S163 on May 1, 2025 by a vote of 38 to 1. We have assigned pluses to the ayes because Article I, Sections 8 and 10 of the U.S. Constitution grant Congress—not unelected bureaucrats or central banks—the sole authority to coin money. CBDCs threaten to give government unprecedented power to track, monitor, and even control every transaction, paving the way for mass surveillance and political coercion through financial deplatforming or asset freezes.

6. "Free" School Meals

S425 requires every public school district in South Carolina to annually identify how many of its students live in poverty and expand access to free school meals for those students. It also mandates that districts consider participating in the federal Community Eligibility Provision.

The South Carolina State Senate passed S425 on April 1, 2025 by a vote of 45 to 0. We have assigned pluses to the nays because feeding children is the responsibility of parents, not government. This bill grows the unconstitutional welfare state by using taxpayer dollars to provide "free" meals, further entrenching debt, dependency, and poverty. It also advances the UN's Agenda 2030, which promotes state control over "food security." Article I, Section 8 of the U.S. Constitution does not grant government authority to run these programs.