

FREEDOMINDEX.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 Erik Muckey's voting history.
freedomindex.us/10862/

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



Erik Muckey

South Dakota

Representative, HD-015 (D)

freedomindex.us/10862/

25

Lifetime
Freedom
Score

2026 SD Legislative Scorecard

Based on the Principles of the U.S. Constitution

★ Constitutional	✗ Unconstitutional	? Did not Vote	Vote
1. HB1044 Government Health Program (Passed 56 to 11 on 1/26/2026). Appropriates federal funding to carry out the state's Rural Health Transformation Program. Estimated cost per household: -\$1,100.00/year.			YES ✗
2. SCR604 Resolution for God's Healing (Passed 42 to 23 on 1/29/2026). Urges South Dakotans to seek God's healing presence and mercy upon the state.			NO ✗
3. SJR503 Con-Con (Failed 29 to 38 on 2/18/2026). Applies to Congress for an Article V constitutional convention to propose amendments to the U.S. Constitution.			NO ★
4. HB1082 Free School Meals (Passed 46 to 20 on 2/24/2026). Establishes state-reimbursement rules for school districts that provide free or reduced-price meals to students. Estimated cost per household: -\$1.62/year.			YES ✗
5. SB190 Parental Rights (Failed 30 to 36 on 3/3/2026). Would have codified certain parental rights in state law, including the right of parents to direct the upbringing, education, and healthcare of their minor children.			NO ✗
6. HB1274 Abortion-drug Ban (Passed 61 to 6 on 3/10/2026). Prohibits the dispensing, distribution, sale, or advertisement of drugs, substances, or other items intended to cause an unlawful abortion.			NO ✗

Scorecard Votes: 17%

Why do these votes matter?

1. Government Health Program

HB1044 appropriates federal funding to carry out the state's Rural Health Transformation Program and declares an emergency so the money can be used right away. The bill authorizes South Dakota to spend federal funds on rural healthcare projects, including efforts to recruit healthcare workers, modernize rural facilities, and expand access to care.

The South Dakota State House of Representatives passed HB1044 on January 26, 2026 by a vote of 56 to 11. We have assigned pluses to the nays because this legislation accepts federal funds for purposes not authorized by Article I, Section 8 of the U.S. Constitution. Federal funding almost always comes with strings attached, eroding state sovereignty and violating the 10th Amendment. Furthermore, healthcare, workforce development, and expanding access to medical services are not the proper role of government.

2. Resolution for God's Healing

SCR604 urges South Dakotans to seek God's healing presence and mercy upon the state. The resolution cites the nation's Judeo-Christian heritage, South Dakota's motto "Under God, the People Rule," and the belief that rights and human dignity come from God. It also recognizes July as an annual time of prayer and fasting.

The South Dakota State House of Representatives passed SCR604 on January 29, 2026 by a vote of 42 to 23. We have assigned pluses to the ayes because this resolution reaffirms America's Christian heritage and recognizes that rights and human dignity come from God. By urging South Dakotans to seek God's healing presence and mercy, SCR604 is consistent with South Dakota's motto, "Under God, the People Rule," as well as the historic understanding of America's founding principles. The Continental Congress in 1777, echoing the Mayflower Compact, called "for the promotion and enlargement of that kingdom" of "Jesus Christ."

3. Con-Con

SJR503 applies to Congress for an Article V constitutional convention to propose amendments to the U.S. Constitution. It claims to seek amendments that would "impose fiscal restraints on the federal government, further limit the power and jurisdiction of the federal government, and limit the terms of office for members of Congress and other federal officials."

The South Dakota State House of Representatives failed to place SJR503 on the calendar on February 18, 2026 by a vote of 29 to 38. We have assigned pluses to the nays because efforts to call an Article V "convention of the states" must be resisted. A constitutional convention (Con-Con) would have the power to make major changes to the U.S. Constitution, or even completely rewrite it. Instead of failing to uphold their oath of office and risking the danger of a "runaway convention," which could act as a "trojan horse" to destroy many of the Constitution's limitations on government power, state legislators should act to immediately nullify all unconstitutional federal laws. Whenever the federal government assumes undelegated powers, in blatant violation of the 10th Amendment, nullification of such lawless acts is the proper remedy.

4. Free School Meals

HB1082 establishes state-reimbursement rules for school districts that provide free or reduced-price meals to students. The bill requires schools to provide lunch at no cost to students who qualify for reduced-price meals, with the state reimbursing districts for the difference between the federal reimbursement and the meal cost.

The South Dakota State House of Representatives passed HB1082 on February 24, 2026 by a vote of 46 to 20. We have assigned pluses to the nays because feeding and educating children are duties of parents, not government. By using taxpayer dollars to provide "free" meals, the state expands the unconstitutional welfare system and fosters dependency rather than self-reliance. HB1082 also aligns with the United Nations' Agenda 2030 "Zero Hunger" initiative, which promotes government control over food distribution and social policy—objectives wholly foreign to America's constitutional framework. Neither Article I, Section 8 of the U.S. Constitution nor any other provision authorizes the federal government to provide meals or social services. Such programs divert funds from legitimate functions, increase public debt, and erode parental responsibility. Instead of empowering families, HB1082 further entrenches government dependency within an already failing public-education system and erodes state sovereignty by embracing federal funds.

5. Parental Rights

SB190 would have codified certain parental rights in state law, including the right of parents to direct the upbringing, education, and healthcare of their minor children. The bill also would have restricted school employees from withholding or concealing certain information from parents, especially information related to a child's health and well-being.

The South Dakota State House of Representatives rejected SB190 on March 3, 2026 by a vote of 30 to 36. We have assigned pluses to the ayes because the upbringing, education, care, and control of children belongs to—and is a fundamental right of—parents, not the government. The State of South Dakota has a duty to uphold the right of parents to raise their children. Parental rights are retained under the Ninth and 14th Amendments to the U.S. Constitution.

6. Abortion-drug Ban

HB1274 prohibits the dispensing, distribution, sale, or advertisement of drugs, substances, or other items intended to cause an unlawful abortion. The bill targets abortion-inducing drugs or related materials being sent into or promoted in South Dakota for illegal abortions, and it provides both criminal and civil penalties for violations.

The South Dakota State House of Representatives passed HB1274 on March 10, 2026 by a vote of 61 to 6. We have assigned pluses to the ayes because states should act to ban abortion and guarantee the right to life for all persons. The right to life is the most fundamental, God-given, and unalienable right asserted in the Declaration of Independence and protected by the 5th and 14th Amendments to the U.S. Constitution.