

# FREEDOM INDEX.US

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

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## Jason Potts

Tennessee

Representative, HD-059 (D)

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## TN Legislative Scorecard 2021-2022

Based on the Principles of the U.S. Constitution

★ Constitutional	✗ Unconstitutional	? Did not Vote	Vote
1. <b>SB2897 Budget</b> (passed 93 to 2 on 4/21/2022). Serves as the Appropriations Act of Tennessee, which, as passed by the General Assembly, allocates approximately \$52.8 billion for the fiscal year beginning July 1, 2022, and ending June 30, 2023. <b>Estimated cost per household: -\$20,004.00/year.</b>			<b>YES</b> <b>✗</b>
2. <b>SB0858 Prohibiting COVID-19 Vaccine Mandates</b> (passed 68 to 22 on 5/3/2021). Prohibits state or local governments from requiring, or mandating that a private business require, proof of COVID-19 vaccination as a condition for entry or utilization of services.			<b>NO</b> <b>✗</b>
3. <b>SB1370 Prenatal Right to Life</b> (passed 69 to 20 on 4/29/2021). Permits a cause of action for wrongful death against someone who kills a mother and her unborn child regardless of gestational age.			<b>NONE</b> <b>?</b>
4. <b>SB1229 Parental Rights in Education</b> (passed 64 to 23 on 4/14/2021). Requires an LEA or public charter school to notify a student's parent or guardian prior to commencing instruction of a "sexual orientation or gender identity" curriculum.			<b>NONE</b> <b>?</b>
5. <b>HJR0008 Article V Convention: Term Limits</b> (passed 53 to 34 on 4/8/2021). Applies to Congress, under the provisions of Article V of the U.S. Constitution, to call for a convention to propose an amendment to the U.S. Constitution establishing term limits for members of Congress.			<b>NONE</b> <b>?</b>
6. <b>SB0765 Permitless Firearm Carry</b> (passed 64 to 29 on 3/29/2021). Allows permitless carry of a handgun if a person meets age requirements, lawfully possesses the handgun, and is in a place that the person is lawfully present.			<b>NO</b> <b>✗</b>

**Scorecard Votes: 0%**

# Why do these votes matter?

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## 1. Budget

SB2897 is the Appropriations Act of Tennessee. As passed by the General Assembly, it allocates approximately \$52.8 billion for the fiscal year beginning July 1, 2022, and ending June 30, 2023.

Tennessee's record spending plan for FY2022-23, as passed by the General Assembly, relies heavily on federal funds, initially estimated at \$19.8 billion or nearly 38% of the entire state budget. Much of this is allocated to unconstitutional programs, such as TennCare. The budget is also impacted by roughly \$1.5 billion in public subsidies for a new Tennessee Titans stadium. States should oppose the use of federal taxpayer money for purposes not authorized under Article 1, Section 8, of the U.S. Constitution.

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## 2. Prohibiting COVID-19 Vaccine Mandates

SB0858 prohibits state or local governments from requiring, or mandating that a private business require, proof of COVID-19 vaccination as a condition for entry or utilization of services. It also removes the authority of county boards of health in relation to the adoption and enforcement of rules and regulations, and limits the ordering of quarantines under state law.

Compelling American citizens to receive medical treatment violates their fundamental rights protected by the Bill of Rights and the 14th Amendment to the U.S. Constitution. In addition, oversight of local emergency powers is a proper function of the state and county legislative bodies of government. Under Article IV, Section 4, of the U.S. Constitution, each state is guaranteed a republican form of government, which requires a limitation and separation of power

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## 3. Prenatal Right to Life

SB1370 permits a cause of action for wrongful death against someone who kills a mother and her unborn child regardless of gestational age. It also prohibits wrongful birth or wrongful life lawsuits on behalf of any person based on a claim that a child would have not or should not have been born or would or should have been aborted. 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.

## 4. Parental Rights in Education

SB1229 requires an LEA or public charter school to notify a student's parent or guardian prior to commencing instruction of a "sexual orientation or gender identity" curriculum. It also permits a parent or guardian to excuse their child from such instruction.

A child's education is the responsibility of--and a fundamental right of choice retained by--the parents, not the government. Parental rights, as with all other constitutional rights, are protected by the Bill of Rights and the 14th Amendment to the U.S. Constitution.

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## 5. Article V Convention: Term Limits

HJR0008 applies to Congress, under the provisions of Article V of the U.S. Constitution, to call for a convention to propose an amendment to the U.S. Constitution establishing term limits for members of Congress. Term limits conflict with the right of the American people to choose their representatives. Moreover, states should act immediately to nullify all unconstitutional federal laws and repeal the 16th and 17th Amendments, rather than risk an Article V or second constitutional convention. Article V of the U.S. Constitution was designed to correct structural deficiencies in the federal government, not the failure of elected officials to uphold their oath of office.

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## 6. Permitless Firearm Carry

SB0765 allows permitless carry of a handgun if a person meets age requirements, lawfully possesses the handgun, and is in a place that the person is lawfully present. The fundamental right of the American people to keep and bear arms should not be infringed, as guaranteed by the 2nd Amendment of the U.S. Constitution.