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LEGISLATIVE SCORECARD

BASED ON THE PRINCIPLES OF THE U.S. CONSTITUTION



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Brian Birdwell

Texas Senator, SD-022 (R)

freedomindex.us/11077/



TX Legislative Scorecard 2025: 67%

✓ Constitutional ✗ Unconstitutional — Did not Vote **Vote**

1. Anti-Red Flag Act: Prevents governmental entities in Texas from enforcing "extreme risk protective orders."



Constitutional: **Yes** · Cast: **Yes** · SB1362 · 05/30/2025

2. Constitutional Money: Creates a transactional currency backed by "gold and silver," and recognizes it as "legal tender."



Constitutional: **Yes** · Cast: **Yes** · HB1056 · 05/28/2025

3. Ban on State-sponsored Abortion Travel: Bans the use of public funds for abortion-related travel.



Constitutional: **Yes** · Cast: **Yes** · SB33 · 05/26/2025

4. Funding Government Schools: Authorizes \$8.5 billion in new funding to public schools, including for teacher and staff pay raises, early-childhood programs, and bilingual education.



Estimated Cost per household: **-\$755.00/year.**

Constitutional: **No** · Cast: **Yes** · HB2 · 05/23/2025

5. Article V Convention: Applies to Congress to "call a convention under Article V of the United States Constitution."



Constitutional: **No** · Cast: **Yes** · HJR98 · 05/08/2025

6. Defunding "Drag Queen Story Hour": Would have defunded municipal libraries that host "Drag Queen Story Hour" events.



Constitutional: **Yes** · Cast: **Yes** · SB18 · 03/19/2025

Why do these votes matter?

1. Anti-Red Flag Act

SB1362 prevents governmental entities in Texas from enforcing “extreme risk protective orders.”

“Extreme risk protective orders,” also known as “red flag orders,” involve confiscating firearms from persons who have not even been charged with a crime. In addition, they effectively mandate universal background checks for all firearm purchases or transfers, enabling government efforts to conduct mass surveillance and create a national gun-owner database. The Second Amendment declares that “the right of the people to keep and bear Arms, shall not be infringed,” whereas the Fifth and the 14th Amendments prohibit “any State” from depriving “any person” of their “liberty, or property, without due process of law.” Thus, “red flag orders” are blatantly unconstitutional, and, like other acts of gun control, should be rendered “null and void.”

2. Constitutional Money

HB1056 creates a transactional currency backed by “gold and silver,” and recognizes it as “legal tender.”

This bill brings Texas closer to restoring sound money and adhering to the U.S. Constitution’s monetary provisions. Article 1, Section 10, of the Constitution says that “No State shall ... make any Thing but gold and silver Coin a Tender in Payment of Debts.” States can and need to act now to protect Americans’ financial freedom and privacy by both ending the Federal Reserve’s unconstitutional monopoly on money and thwarting government plans to impose a Central Bank Digital Currency.

3. Ban on State-sponsored Abortion Travel

SB33 bans the use of public funds for abortion-related travel.

Abortion is murder, and no person has a right to take the life of a preborn child, let alone force their neighbor to pay for it. Given that the care of human life—not its destruction—is the greatest responsibility of government, Texas ought to abolish abortion entirely, forbidding its every method and means of procurement. The right to life is the most fundamental, God-given, and “unalienable” right mentioned in the Declaration of Independence and secured by the Fifth and 14th Amendments to the U.S. Constitution.

4. Funding Government Schools

HB2 authorizes a record \$8.5 billion in new funding to public schools.

Education is not the role of government—it is the responsibility of a child’s parents or family. Schools can and should be privatized, without any need for public funding that steals from taxpayers (e.g., property taxes) and drains the treasury. If not dismantled, the government’s monopoly on preK-12 education will continue to displace traditional private schools and homeschooling in favor of universal state-sponsored schooling. The best “school choice,” by far, is for parents to choose not to place their child’s education in the hands of the state. Educational and economic freedom cannot be achieved with a compulsory, failing, and government-run school system.

5. Article V Convention

HJR98 applies to Congress to “call a convention under Article V of the United States Constitution.”

Efforts to call an Article V convention 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 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 uphold their oath of office. The problem is not the Constitution, but lawmakers’ failure to follow it. Article VI requires that all state legislators “shall be bound by Oath or Affirmation, to support this Constitution.” Article V, however, was designed to correct potential errors or defects in the Constitution, not to “misconstrue or abuse its powers.” State legislators should use Article VI to enforce the Constitution, rather than use Article V to alter or abolish it.

6. Defunding "Drag Queen Story Hour"

SB18 would have defunded municipal libraries that host “Drag Queen Story Hour” events.

“Drag Queen Story Hour” should be illegal. No person has a right to sexually “groom” or abuse a child using the pretext of LGBTQ+ ideology, and the government has a duty to prohibit public displays of obscene, indecent, or profane activity. Prior to the counter-cultural “gay rights” movement of the 1960s, many states had laws against not only homosexual conduct, but “cross dressing.” Conflation of biological sex and fictional “gender identity” constructs (e.g., “nonbinary”) is absurd, and results in grossly illicit acts of sexual perversion contrary to the “Laws of Nature and of Nature’s God.” The right of the people to protect both themselves and their children from “transanity” is retained under the Bill of Rights and the 14th Amendment.