

FREEDOMINDEX.US

LEGISLATIVE SCORECARD

BASED ON THE PRINCIPLES OF THE U.S. CONSTITUTION



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 <https://freedomindex.us/tools/>



Briscoe Cain

Texas Representative, HD-128 (R)

freedomindex.us/11125/



TX Legislative Scorecard 2025: 83%

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

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



Constitutional: **Yes** · Cast: **Yes** · HB1056 · 05/30/2025

2. 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: **No** · HB2 · 05/29/2025

3. State-sanctioned Migrant Labor Camps: Performs "outreach and education" to inform "migrant agricultural workers" of their "rights," studies the "need" for "additional or improved migrant labor housing facilities," and locates "unlicensed migrant labor housing facilities" without identifying "individual migrant agricultural workers."



Constitutional: **No** · Cast: **No** · SB243 · 05/22/2025

4. Repealing the Crime of Homosexual Conduct: Would have repealed the criminal offense of homosexual conduct in state law.



Constitutional: **No** · Cast: **No** · HB1738 · 05/16/2025

5. Texas Sovereignty Act: Would begin a formal process for Texas to declare certain federal acts as unconstitutional and prevent their enforcement.



Constitutional: **Yes** · Cast: **Yes** · HB796 · 05/07/2025

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



Constitutional: **No** · Cast: **Yes** · HJR98 · 04/28/2025

Why do these votes matter?

1. 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.

2. 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. 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 by forcing other citizens to give up their hard-earned tax dollars for all that now entails a compulsory, failing, and government-run school system.

3. State-sanctioned Migrant Labor Camps

SB243 relates to the regulation of “additional or improved migrant labor housing facilities.”

State-sanctioned migrant labor camps should not exist in Texas or elsewhere in the United States. These compounds not only aid and abet the enormous influx of “temporary” foreign workers, but harbor illegal aliens. Mass migration, which is no less an “invasion,” has become the most immediate and serious threat to our country. It’s an anti-American policy designed to destroy national unity, allegiance, and sovereignty, through a blatant undermining of the rule of law and an erosion of the value of citizenship. Texans must help save the Republic by demanding that state officials work to secure the U.S.-Mexico border, deport every illegal, and urge Congress to pass a moratorium on immigration until this crisis ends.

4. Repealing the Crime of Homosexual Conduct

HB1738 would have repealed the criminal offense of homosexual conduct in state law.

The U.S. Supreme Court’s decision in *Lawrence v. Texas* is egregiously illegitimate and unconstitutional. Homosexual behavior ought to remain illegal. Being contrary to the “Laws of Nature and of Nature’s God,” the grossly illicit, self-inhibiting, and unsanitary acts of sexual perversion inherent to the LGBTQ+ movement undermine self-government and the family—the very foundations of a free society. True “equality” means that there can be no appeal to “Life, Liberty and the pursuit of Happiness” for anyone apart from the moral commands set forth by “their Creator” who grants them with “certain unalienable Rights.” Nothing in the U.S. Constitution can be used to support homosexuality, nor can any legislation or court opinion make normal, let alone constitutional, that which is abominable and shameful.

5. Texas Sovereignty Act

HB796 would begin a formal process for Texas to declare certain federal acts as unconstitutional and prevent their enforcement.

The several States have a duty to interpose on behalf of the American people and nullify all unconstitutional acts by the federal government. The U.S. Constitution established a limited federal government with “few and defined” powers. Whenever the federal government assumes undelegated powers, in flagrant violation of the 10th Amendment, interposition is necessary, and nullification of such lawless acts is the proper remedy.

6. 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. In other words, 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.