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Michael Lynn Caputo

West Virginia
State Senator, SD-013 (D)

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Lifetime
Freedom
Score

WV Legislative Scorecard 2024

✓ Pro-Freedom	✗ Anti-Freedom	— Did not Vote	Vote
1. Legalizes the sale of raw (unpasteurized) milk within the state.			✗
Pro-Freedom: Yes · Cast: No · HB4911 · 03/08/2024			
2. Exempts students attending virtual public schools from mandatory vaccination requirements and allows private and parochial schools to set their own immunization policies.			✗
Pro-Freedom: Yes · Cast: No · HB5105 · 03/09/2024			
3. Aligns state law with the Federal Law Enforcement Officers Safety Act (LEOSA). This legislation designates certain correctional officers as law-enforcement officers for purposes of LEOSA, enabling them to carry concealed firearms nationwide.			✗
Pro-Freedom: No · Cast: Yes · HB4297 · 03/08/2024			
4. Requires car dealerships to use a search engine to verify that vehicle buyers have valid motor-vehicle insurance.			✗
Pro-Freedom: No · Cast: Yes · HB5178 · 03/01/2024			
5. Mandates that all carbon credits originating from real property or standing timber in West Virginia, regardless of ownership, must be transacted exclusively through the state-run West Virginia Carbon Exchange, managed by the Division of Forestry.			✗
Pro-Freedom: No · Cast: Yes · SB618 · 02/28/2024			
6. Prevents municipalities from imposing stricter planning and zoning ordinances on firearm-related businesses than those applied to other businesses.			✗
Pro-Freedom: Yes · Cast: No · HB4782 · 02/19/2024			

Scorecard Votes: 0%

Why do these votes matter?

1. Legalized Sale of Raw Milk

HB4911 legalizes the sale of raw (unpasteurized) milk within the state.

The West Virginia State Senate passed HB4911 on March 8, 2024 by a vote of 28 to 5. We have assigned pluses to the ayes because the prohibition on the sale of raw milk violates the First, Fifth, and Fourteenth Amendments of the U.S. Constitution. This ban also violates free-market principles, as the government should not interfere in commerce.

2. Vaccine Freedom in Schools

HB5105 exempts students attending virtual public schools from mandatory vaccination requirements and allows private and parochial schools to set their own immunization policies.

The West Virginia State Senate passed HB5105 on March 9, 2024 by a vote of 20 to 12. We have assigned pluses to the ayes because an individual's personal healthcare decisions should not be the object of government, nor be under its federal, state, or local jurisdictions in the United States. Government should interfere with any aspect of homeschool or private-school.

3. Federal Police Policy Adoption

HB4297 aligns state law with the Federal Law Enforcement Officers Safety Act (LEOSA). This legislation designates certain correctional officers as law-enforcement officers for purposes of LEOSA, enabling them to carry concealed firearms nationwide. The bill establishes eligibility criteria and training requirements for these officers. The Commissioner of Corrections has discretion over eligible participants.

The West Virginia State Senate passed HB4297 on March 8, 2024 by a vote of 33 to 0. We have assigned pluses to the nays because states should not adopt or endorse unconstitutional federal-law enforcement programs. Upholding the authority of local and state law enforcement is a cornerstone of self-government under the U.S. Constitution's federal system, which decentralizes power and upholds state sovereignty. The 10th Amendment makes clear that any powers not delegated to the federal government are reserved to the states or the people. While expanding concealed carry to more officers is a step in the right direction, the bill's implementation by an unelected bureaucrat and its imposition of training or eligibility requirements contradict the intention of the Second Amendment.

4. Forced Vehicle Insurance

HB5178 requires car dealerships to use a search engine to verify that vehicle buyers have valid motor-vehicle insurance.

The West Virginia State Senate passed HB5178 on March 1, 2024 by a vote of 33 to 1. We have assigned pluses to the nays because by requiring car dealerships to use a government-designated search engine to verify a buyer's insurance status, the bill forces private businesses to act as enforcement arms of the state. The mandate that individuals must carry motor-vehicle insurance in order to purchase a car infringes on personal freedom and imposes a one-size-fits-all requirement that disregards individual circumstances.

5. Carbon Exchange Program

SB618 mandates that all carbon credits originating from real property or standing timber in West Virginia, regardless of ownership, must be transacted exclusively through the state-run West Virginia Carbon Exchange, managed by the Division of Forestry.

The West Virginia State Senate passed SB618 on February 28, 2024 by a vote of 27 to 5. We have assigned pluses to the nays because it mandates centralized control over unconstitutional carbon-credit transactions through a state-run exchange, undermining private-property rights and imposing top-down economic controls reminiscent of socialist market manipulation. It forces landowners and businesses into a government-controlled system that limits their freedom to manage resources. Additionally, by enabling state-facilitated carbon trading, the bill advances international climate agendas like the UN's Agenda 2030.

6. Second Amendment Protection

HB4782, titled the Second Amendment Business Protection Act, prevents municipalities from imposing stricter planning and zoning ordinances on firearm-related businesses than those applied to other businesses. This legislation ensures that such businesses are not unfairly targeted with more restrictive regulations.

The West Virginia State Senate passed HB4782 on February 19, 2024 by a vote of 33 to 1. We have assigned pluses to the ayes because this legislation supports the free market by shielding firearm-related businesses from discriminatory regulations and undue restrictions. HB4782 upholds the Second Amendment, which secures the God-given right of individuals to keep and bear arms — a right that shall not be infringed. By reinforcing constitutional protections and limiting government interference, the bill establishes a vital precedent against regulatory overreach and defends the lawful operation of private industry in a sector tied to one of our most fundamental liberties.