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## LEGISLATIVE SCORECARD

BASED ON THE PRINCIPLES OF THE U.S. CONSTITUTION



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## Gary Martin Gearheart

West Virginia

State Delegate, HD-037 (R)

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54

Lifetime  
Freedom  
Score

## WV Legislative Scorecard 2025

✓ Pro-Freedom ✗ Anti-Freedom — Did not Vote

Vote

1. Prohibits public schools from providing gender-identity instruction, prohibits school from providing false or misleading information to parents, and requires parental notification of any student request to affirm a gender different from their biological sex.



Pro-Freedom: **Yes** · Cast: **Yes** · SB154 · 04/11/2025

2. Urges Congress to call a "convention of states" to propose "Amendments to the Constitution of the United States to create fiscal responsibility by and within the federal government."



Pro-Freedom: **No** · Cast: **Yes** · HCR102 · 04/10/2025

3. Removes the prohibition against leasing state-owned lands designated as state parks for underground carbon capture and sequestration.



Pro-Freedom: **No** · Cast: **Yes** · SB627 · 04/04/2025

4. Repeals West Virginia's compulsory school attendance for children, educational status and learning progress reporting requirements for students.



Pro-Freedom: **Yes** · Cast: **No** · HB2777 · 03/31/2025

5. Expands exemptions to West Virginia's compulsory childhood vaccination requirements by permitting religious and philosophical exemptions, and prohibiting schools or childcare centers from excluding exempted children from extracurricular activities or events.



Pro-Freedom: **Yes** · Cast: **Yes** · SB460 · 03/24/2025

6. Updates the systematic purging program for removing ineligible voters from active voter rolls by decreasing the period of voting inactivity from four to two years.



Pro-Freedom: **Yes** · Cast: **Yes** · SB487 · 03/17/2025

**Scorecard Votes: 50%**

# Why do these votes matter?

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## 1. Prohibiting Gender-identity Education

SB154 prohibits public schools from providing instruction related to sexual orientation or gender identity, bars schools and employees from providing false or misleading information to parents about a student's gender identity or intention to transition, and requires school employees to notify the student's parent of any student request for accommodations affirming a gender identity different from their biological sex.

We have assigned pluses to the yeas because the responsibility for the upbringing, education, and care of children, particularly on sensitive issues like sexual orientation and gender identity, rests with parent—not the government. The U.S. Constitution's Bill of Rights and the 14th Amendment firmly protect parental rights, recognizing them as fundamental to liberty. The role of government is not to indoctrinate children with fictional "gender identity" constructs. Each state has a compelling interest and duty to protect against gross efforts to redefine human rights and reinterpret the Constitution based on these false premises.

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## 2. Article V Convention

HCR102 urges Congress to call a "convention of states" to propose "Amendments to the Constitution of the United States to create fiscal responsibility by and within the federal government."

We have assigned pluses to the nays because states should nullify all unconstitutional federal laws rather than risk an Article V convention. Article V of the U.S. Constitution was designed to correct potential errors or defects in the Constitution, not the failure of elected officials to uphold their oath of office.

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## 3. Carbon Capture in State Parks

SB627 removes the prohibition against leasing state-owned lands designated as state parks for underground carbon capture and sequestration.

We have assigned pluses to the nays because carbon-capture programs intended to combat "climate change" align closely with the UN's Agenda 2030, undermining national sovereignty and individual liberty. States should reject UN environmental agendas that erode U.S. sovereignty. Additionally, underground CO2 storage endangers the security of water resources and communities due to the long-term monitoring and storage requirements of carbon-sequestration storage sites.

## 4. Educational Freedom

Delegate Henry Dillon's (R-Wayne) amendment to HB2777 repeals West Virginia's compulsory school attendance for children, as well as educational-status and learning-progress reporting requirements for students. State policy would not compel parents to enroll children in any school, while encouraging parents to ensure children receive a thorough education as necessary preparation to participate in civil society.

We have assigned pluses to the yeas because this amendment reduces government interference in a child's education. It reinforces parents' rights to direct their children's education, a fundamental freedom protected under the U.S. Constitution.

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## 5. Child Vaccine Exemption

SB460 expands exemptions to West Virginia's compulsory childhood vaccination requirements by permitting religious and philosophical exemptions, and prohibiting schools or childcare centers from excluding exempted children from extracurricular activities or events. Additionally, it permits civil lawsuits with compensatory and punitive damages for any violations.

We have assigned pluses to the ayes because neither private nor governmental "public health" mandates are lawful. Every individual has a fundamental right to medical freedom, as no person or entity has legitimate authority to rule over another's non-injurious health care decisions. Forcing vaccination on children violates the fundamental rights of parental authority and religious liberty. Compelling someone else's child to be vaccinated violates parental rights retained via the U.S. Constitution's Bill of Rights and 14th Amendment.

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## 6. Clean Voter Rolls

SB487 updates the systematic purging program for removing ineligible voters from active voter rolls by decreasing the period of voting inactivity from four to two years.

We have assigned pluses to the yeas because any effort to clean up the voter rolls is a good step for election integrity. States should exercise their authority under Article 1, Section 4 of the U.S. Constitution to implement free, fair, and secure elections.