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LEGISLATIVE SCORECARD

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Todd A. Kirby

West Virginia

State Delegate, HD-044 (R)

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75

Lifetime
Freedom
Score

WV Legislative Scorecard 2024

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

Vote

1. Eliminates the requirement that 14- and 15-year-olds obtain a work permit.



Pro-Freedom: **Yes** · Cast: **No** · HB5159 · 02/20/2024

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: **Yes** · HB5105 · 03/09/2024

3. Urges the U.S. Congress to convene a convention for proposing amendments under Article V of the U.S. Constitution. The purpose of this convention would be to propose amendments aimed at establishing fiscal responsibility within the federal government and repealing the 16th Amendment.



Pro-Freedom: **No** · Cast: **Yes** · HCR57 · 03/07/2024

4. Prohibits the designation of "nonbinary" or any other gender marker beyond "male" or "female" on birth certificates issued by the state.



Pro-Freedom: **Yes** · Cast: **Yes** · HB4233 · 02/29/2024

5. Modifies the Certified Sites and Development Readiness Program, managed by the Department of Economic Development. This program evaluates and certifies sites based on their readiness for development.



Pro-Freedom: **No** · Cast: **No** · HB4822 · 02/28/2024

6. Strengthen the state's authority over underground carbon-dioxide sequestration. The bill amends sections of the West Virginia Water Pollution Control Act to provide additional assurances to the U.S. Environmental Protection Agency (EPA) regarding the state's application for primary enforcement authority over underground carbon-dioxide sequestration programs.



Pro-Freedom: **No** · Cast: **Yes** · HB5045 · 02/13/2024

Scorecard Votes: 50%

Why do these votes matter?

1. Work-permit Elimination

HB5159 eliminates the requirement that 14- and 15-year-olds obtain a work permit.

The West Virginia State House of Delegates passed HB5159 on February 20, 2024 by a vote of 83 to 16. We have assigned pluses to the ayes because the decision for a 14- or 15-year-old to work should rest with parents and employers—not the government. Families and businesses are best equipped to determine whether a young person is capable and ready for employment, without state interference.

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 House of Delegates passed HB5105 on March 9, 2024 by a vote of 79 to 29. 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. No level of government should interfere with any aspect of homeschool or private-school education.

3. Con-Con

HCR57 urges the U.S. Congress to convene a convention for proposing amendments under Article V of the U.S. Constitution. The purpose would be to propose amendments aimed at establishing fiscal responsibility within the federal government and repealing the 16th Amendment.

The West Virginia State House of Delegates passed HCR57 on March 7, 2024 by a vote of 79 to 18. We have assigned pluses to the nays because a so-called “Convention of the States” would not be of “limited” purpose. While we support repealing the 16th Amendment, the vague and contradictory text contained in this joint resolution dangerously permits what Article V of the U.S. Constitution describes as a “Convention for proposing Amendments” or second constitutional convention. Article V was designed to correct structural deficiencies in the federal government, not the behavior of its elected officials. Congress should work to repeal bad amendments or states should nullify unconstitutional federal laws.

4. Anti-Woke Birth Certificates

HB4233 prohibits the designation of “nonbinary” or any other gender marker beyond “male” or “female” on birth certificates issued by the state.

The West Virginia State House of Delegates passed HB4233 on February 29, 2024 by a vote of 93 to 5. We have assigned pluses to the ayes because Marxists and leftists are pushing their woke agenda — claiming everyone that people can choose their own gender and decide what their pronouns are. Scientifically and biblically, there are only two genders.

5. Government Grants

HB4822 modifies the Certified Sites and Development Readiness Program, managed by the Department of Economic Development. This program evaluates and certifies sites based on their readiness for development. The bill specifically adjusted the monetary amounts of grants provided under this program, aiming to enhance site development and attract businesses.

The West Virginia State House of Delegates passed HB4822 on February 28, 2024 by a vote of 86 to 13. We have assigned pluses to the nays because the government should not pick economic winners and losers. The United States were founded on the principle that “all men are created equal,” and taxpayer dollars should not be used to benefit select businesses or people over others. HB4822 plays favoritism, picking certain businesses while sidelining others. Rather than government subsidizing business development in the state, legislators should let the free market determine the needs of the state.

6. Carbon Sequestration and Storage

HB5045 strengthen the state's authority over underground carbon-dioxide sequestration. The bill amends sections of the West Virginia Water Pollution Control Act to provide additional assurances to the U.S. Environmental Protection Agency (EPA) regarding the state's application for primary enforcement authority over underground carbon-dioxide sequestration programs. This legislative action aims to enhance West Virginia's regulatory capabilities in overseeing carbon-dioxide storage activities within the state.

The West Virginia State House of Delegates passed HB5045 on February 13, 2024 by a vote of 84 to 16. We have assigned pluses to the nays because there is no constitutional authority for either the federal or state government to regulate carbon storage or implement policies rooted in the climate change-agenda. Such measures advance the objectives of the United Nations’ Agenda 2030, which threatens individual liberty and undermines state sovereignty. Rather than cooperating with unconstitutional federal agencies or globalist environmental mandates, states should uphold constitutional principles and resist policies that erode freedom and self-governance.