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LEGISLATIVE SCORECARD BASED ON THE THE U.S. CONSTITUTION

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Daniel Hernandez

Arizona

Representative, HD-002 (D)

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AZ Legislative Scorecard 2021-2022

Based on the Principles of the U.S. Constitution

★ Constitutional	✗ Unconstitutional	? Did not Vote	Vote
1. HB2863 Budget: Health Care (passed 50 to 9 on 6/23/2022). Contains provisions for health care-related budget appropriations for FY 2023, including the expansion of Medicaid eligibility in Arizona.			YES ✗
2. SB1164 Abortion Restrictions (passed 31 to 26 on 3/24/2022). Prohibits a physician from performing an abortion, except in a "medical emergency," after 15 weeks of pregnancy.			NONE ?
3. SCR1003 Oversight of Executive Emergency Powers (passed 31 to 25 on 6/25/2021). Directs the Governor during a state of emergency to call the Legislature into a special session within 10 days to determine whether to terminate or modify the state of emergency.			NO ✗
4. SB1713 Voter Identification (failed 29 to 31 on 5/26/2021). Specifies that early ballot affidavits must require a voter to provide voter information, including the voter's date of birth and an acceptable form of government-issued identification number.			NO ✗
5. SCR1044 In-State Tuition and Financial Aid for Illegal Aliens (passed 33 to 27 on 5/10/2021). Uses the power of referendum to make students without lawful immigration status eligible for in-state tuition and financial aid at public colleges and universities in Arizona.			YES ✗
6. HB2111 Limiting Enforcement of Federal Firearms Laws (passed 31 to 29 on 2/24/2021). Prohibits the state of Arizona from enforcing any federal gun controls that are inconsistent with state law.			NO ✗

Scorecard Votes: 0%

Why do these votes matter?

1. Budget: Health Care

HB2863 contains provisions for health care-related budget appropriations for FY 2023, including the expansion of Medicaid eligibility in Arizona.

This budget bill involves substantial amounts of unconstitutional federal funding for health care. States should oppose the use of federal taxpayer money for purposes not authorized under Article 1, Section 8, of the U.S. Constitution.

2. Abortion Restrictions

SB1164 prohibits a physician from performing an abortion, except in a “medical emergency,” after 15 weeks of pregnancy.

States should act to ban abortion and secure the right to life for all persons. The right to life is the most fundamental God-given and unalienable right asserted in the Declaration of Independence, and is guaranteed by the 5th and 14th Amendments to the U.S. Constitution.

3. Oversight of Executive Emergency Powers

SCR1003 directs the Governor during a state of emergency to call the Legislature into a special session within 10 days to determine whether to terminate or modify the state of emergency. It also prohibits the Governor from proclaiming a new state of emergency arising out of the same conditions.

Oversight of executive emergency powers belongs to the legislative branch of government. Each state, under Article IV, Section 4, of the U.S. Constitution, is guaranteed a republican form of government, which requires a limitation and separation of powers.

4. Voter Identification

SB1713 specifies that early ballot affidavits must require a voter to provide voter information, including the voter's date of birth and an acceptable form of government-issued identification number.

States should exercise their authority, under Article 1, Section 4, of the U.S. Constitution, to implement free, fair, and secure elections, guaranteeing equal protection of the right of citizens of the United States to vote.

5. In-State Tuition and Financial Aid for Illegal Aliens

SCR1044 uses the power of referendum to make students without lawful immigration status eligible for in-state tuition and financial aid at public colleges and universities in Arizona. It allows voters to approve amending and repealing sections of Arizona law that prohibit non-U.S. citizens from accessing state or local public benefits.

This resolution abuses taxpayer funds taken from American citizens to subsidize illegal aliens at government-run institutions of higher education. Moreover, the rights of Arizonans should not be subject to popular votes by statewide ballot measures--or other majoritarian democratic initiatives--that undermine Article IV, Section 4, of the U.S. Constitution, which guarantees each state a republican form of government limited to the rule of law.

6. Limiting Enforcement of Federal Firearms Laws

HB2111 creates the “2nd Amendment Firearm Freedom Act,” prohibiting the state of Arizona from enforcing any federal gun controls that are inconsistent with state law.

The fundamental right of the American people to keep and bear arms should not be infringed, as guaranteed by the 2nd Amendment of the U.S. Constitution. Whenever the federal government assumes unconstitutional firearms restrictions, state nullification of such acts is protected by the 10th Amendment.