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## LEGISLATIVE SCORECARD BASED ON THE THE U.S. CONSTITUTION

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**Edward S. Osienski**

Delaware

Representative, HD-024 (D)

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## DE Legislative Scorecard 2025

Based on the Principles of the U.S. Constitution

| ★ Constitutional                                                                                                                                                                                                                                                                                                                           | ✗ Unconstitutional | ? Did not Vote | Vote     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|----------------|----------|
| 1. <b>SB150 Affordable Rental Housing Program</b> (passed 39 to 0 on 6/30/25). Creates the Affordable Rental Housing Program (ARHP) within the Housing Development Fund. The ARHP is modeled on the federal Section 515 program, and provides loans for very low to moderate-income families, as well as elderly and disabled individuals. |                    |                | YES<br>✗ |
| 2. <b>HB35 Death Penalty Prohibition Amendment</b> (passed 28 to 12 on 6/24/25). Proposes a constitutional amendment to Article I of the Delaware Constitution to prohibit the imposition of the death penalty by adding language that explicitly bans it.                                                                                 |                    |                | YES<br>✗ |
| 3. <b>HB91 "Free" School Breakfast</b> (passed 35 to 1 on 6/17/25). Provides a "free breakfast every school day" for all public-school students in schools participating in the federal School Breakfast Program, regardless of household income.                                                                                          |                    |                | YES<br>✗ |
| 4. <b>HB205 Abortion and Gender-mutilation Protections</b> (passed 29 to 11 on 6/17/25). Protects healthcare providers from disciplinary actions, civil liabilities, and out-of-state judgments for providing abortion, "fertility treatments," and "gender-affirming care" services that are legal in Delaware but illegal elsewhere.     |                    |                | YES<br>✗ |
| 5. <b>HB140 Assisted Suicide</b> (passed 21 to 17 on 3/18/25). The "Ron Silverio/Heather Block End of Life Options Act" establishes a process for a terminally ill adults to obtain and self-administer "medication to end their life in a humane and dignified manner."                                                                   |                    |                | YES<br>✗ |
| 6. <b>HB11 State and Federal Education Alignment</b> (passed 35 to 0 on 3/13/25). Aligns Delaware's special-education law with the federal Individuals with Disabilities Education Act (IDEA). It also clarifies that parents may obtain copies of a student's special-education records.                                                  |                    |                | YES<br>✗ |

**Scorecard Votes: 0%**

# Why do these votes matter?

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## 1. Affordable Rental Housing Program

SB150 creates the Affordable Rental Housing Program (ARHP) within the Housing Development Fund. The ARHP is modeled on the federal Section 515 program, and provides loans to increase the supply of affordable housing for very low to moderate-income families, as well as elderly and disabled individuals.

We have assigned pluses to the noes because the State of Delaware has no business subsidizing “low-income housing.” This legislation misuses taxpayer funds, and infringes on free-market housing. Lawmakers should enact policies that reduce regulatory barriers, uphold property rights, and encourage voluntary, free-market solutions rather than socialist central planning.

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## 2. Death Penalty Prohibition Amendment

HB35 proposes a constitutional amendment to Article I of the Delaware Constitution to prohibit the imposition of the death penalty by adding language that explicitly bans it.

We have assigned pluses to the noes because this bill undermines the principle of justice for the most heinous crimes, weakening deterrence against violent offenses and denying retribution for victims' families. The death penalty, when administered with due process, serves as a legitimate tool for the state to protect society and uphold moral order without expanding government power; abolishing it advances a leftist agenda that erodes personal responsibility and the rule of law.

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## 3. “Free” School Breakfast

HB91 provides a “free breakfast every school day” for all public-school students in schools participating in the federal School Breakfast Program, regardless of household income.

We have assigned pluses to the noes because neither feeding children nor educating them is the role of the government. Each of these responsibilities belongs to a child's parents or family. Not only does charity have no part in the duty of government, but there can be no such thing as a meal that comes “free of charge.” This type of “cradle-to-grave” program relies on the unconstitutional theft of taxpayer money for use on behalf of some citizens at the expense of others — resulting in more debt, dependency, and poverty. The hard-working people of Delaware must not be forced to fund all that now entails a compulsory, failing, and government-run K-12 school system.

## 4. Abortion and Gender-mutilation Protections

HB205 protects healthcare providers from disciplinary actions, civil liabilities, and out-of-state judgments for providing abortion, “fertility treatments,” and “gender-affirming care” services that are legal in Delaware but illegal elsewhere.

We have assigned pluses to the noes because no person has the right to receive or perform “gender-affirming” mutilation, or abortion, let alone be shielded from accountability for it. These grotesque practices not only violate the “unalienable” right to life and limb, but absurdly attempt to erase biological sex with fictional “gender identity” constructs while sanctioning the killing of the unborn. According to the Bill of Rights and the 14th Amendment, every State has a duty to defend the basic humanity of its citizens, each of whom is born distinctly male or female and, as the Declaration of Independence affirms, created equally in the image of God.

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## 5. Assisted Suicide

HB140, the “Ron Silverio/Heather Block End of Life Options Act,” establishes a process for a terminally ill adults with a prognosis of six months or less to obtain and self-administer “medication to end their life in a humane and dignified manner.”

We have assigned pluses to the nays because physician-assisted suicide is murder. As with abortion, it blatantly violates the Hippocratic Oath, which has guided physicians for centuries, in addition to the Sixth Commandment. Given that the care of human life — not its destruction — is the greatest responsibility of government, Delaware ought to forbid physician-assisted suicide, upholding the sanctity of life for every person. Life is a gift from God, and its final disposition belongs to Him. It is also the first and foremost “unalienable” right asserted in the Declaration of Independence and protected by the Fifth and 14th Amendments to the U.S. Constitution.

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## 6. State and Federal Education Alignment

HB11 aligns Delaware's special-education law with the federal Individuals with Disabilities Education Act (IDEA). It also clarifies that parents may obtain copies of a student's special-education records.

We have assigned pluses to the noes because this bill surrenders state sovereignty to the federal government by binding schools to U.S. Department of Education rules. Adopting federal regulations by reference delegates lawmaking to unelected bureaucrats and ensures perpetual federal control. The U.S. Department of Education is unconstitutional. Nothing in the Constitution gives the federal government authority over education.