

FREEDOMINDEX.US

LEGISLATIVE SCORECARD

BASED ON THE PRINCIPLES OF THE U.S. CONSTITUTION



View the Freedom Toolbox

Scan to learn more about the Freedom Index, view legislative alerts, and deepen your understanding of the U.S. Constitution and America's founding principles. Visit <https://freedomindex.us/tools/>



Steve Berch

Idaho Representative, HD-015A (D)

Website: legislature.idaho.gov/house/membership

freedomindex.us/4395/



2026 ID Legislative Scorecard: 20%

✓ Constitutional ✗ Unconstitutional — Did not Vote Vote

1. Con-Con: Applies to Congress for an Article V convention to propose a Balanced Budget Amendment to the U.S. Constitution. ✓

Constitutional: **No** · Cast: **No** · HCR025 · Passed 36–34 · 02/06/2026

2. Real Money: Expands Idaho's recognition of gold and silver as legal tender. ✗

Constitutional: **Yes** · Cast: **No** · H0637 · Passed 55–13 · 02/26/2026

3. State Sovereignty: Declares that Idaho retains all powers not delegated to the federal government under the U.S. Constitution. —

Constitutional: **Yes** · Cast: None · H0650 · Passed 62–6 · 03/05/2026

4. Biological Sex: Prohibits a person from knowingly entering a public restroom or changing room designated for the opposite biological sex. ✗

Constitutional: **Yes** · Cast: **No** · H0752 · Passed 54–15 · 03/16/2026

5. Education Spending: Appropriates an additional \$517,800 in federal funds for the state Department of Education for fiscal year 2027. ✗

Estimated Cost per household: **-\$0.69/year.**

Constitutional: **No** · Cast: **Yes** · H0921 · Passed 48–21 · 03/19/2026

6. Hearing-loss Screening Requirement: Requires that all infants born in Idaho receive a hearing-loss screening before being discharged from a medical facility. ✗

Constitutional: **No** · Cast: **Yes** · S1294 · Passed 37–32 · 03/26/2026

Why do these votes matter?

1. Con-Con

HCR25 applies to Congress for an Article V convention to propose a Balanced Budget Amendment to the U.S. Constitution. The resolution calls for a convention "limited" to requiring that annual federal spending not exceed annual federal revenues-except during a national emergency-along with related fiscal restraints.

The Idaho State House of Representatives passed HCR25 on February 6, 2026 by a vote of 36 to 34. We have assigned pluses to the nays because efforts to call an Article V "convention of the states" must be resisted. A constitutional convention (Con-Con) would have the power to make major changes to the U.S. Constitution, or even completely rewrite it. Instead of failing to uphold their oath of office and risking the danger of a "runaway convention," which could act as a "trojan horse" to destroy many of the Constitution's limitations on government power, state legislators should act to immediately nullify all unconstitutional federal laws. Whenever the federal government assumes undelegated powers, in blatant violation of the 10th Amendment, nullification of such lawless acts is the proper remedy. Article V was designed to correct potential errors or defects in the Constitution, not to "misconstrue or abuse its powers." We must use Article VI to enforce the Constitution, rather than use Article V to alter or abolish it.

2. Real Money

H637 expands Idaho's recognition of gold and silver as legal tender by providing that both foreign and domestically minted gold and silver coin and specie may be used as legal tender to the extent permitted by the U.S. Constitution. The bill also clarifies that no person or business can be required to accept gold or silver as payment.

The Idaho State House of Representatives passed H637 on February 26, 2026 by a vote of 55 to 13. We have assigned pluses to the ayes because this bill is an important step toward restoring sound, constitutional money and reestablishing gold and silver as legal tender, in accordance with Article I, Section 10 of the U.S. Constitution. States can and should act now to secure Americans' financial freedom and privacy by both ending the Federal Reserve's unconstitutional monopoly on money and thwarting government plans to impose a central bank digital currency.

3. State Sovereignty

H650 reinforces Idaho's sovereignty by declaring that the state retains all powers not delegated to the federal government under the U.S. Constitution. The bill establishes a presumption that state jurisdiction applies within Idaho unless the Constitution clearly grants authority to the federal government, and affirms that federal actions exceeding constitutional authority are not binding on the state.

The Idaho State House of Representatives passed H650 on March 5, 2026 by a vote of 62 to 6. We have assigned pluses to the ayes because the several States have a duty to interpose on behalf of the American people and nullify all unconstitutional acts by the federal government. The U.S. Constitution established a limited federal government with "few and defined" powers. Whenever the federal government assumes undelegated powers, in flagrant violation of the 10th Amendment, interposition is necessary, and nullification of lawless acts is the remedy.

4. Biological Sex

H752 prohibits a person from knowingly entering a public restroom or changing room designated for the opposite biological sex, and establishes criminal penalties for violations. The law applies to government buildings and places of public accommodation, and makes a first offense a misdemeanor and certain repeat offenses a felony.

The Idaho State House of Representatives passed H752 on March 16, 2026 by a vote of 54 to 15. We have assigned pluses to the ayes because the Left has promoted the false idea that people can choose their gender, pronouns, and biological sex. Scientifically and biblically, there are two sexes, and society should not be forced to conform to radical gender ideology. All people have a right-which the government has a duty to uphold-to protect themselves and their children from obscene, indecent, or inappropriate conduct. These rights are retained under the Ninth and 14th Amendments to the U.S. Constitution.

5. Education Spending

H921 appropriates an additional \$517,800 for the state Department of Education for fiscal year 2027. Most of the new funding comes from federal funds, and supports programs such as school-bus equipment, the Farm-to-School Grant Program, and the Child Nutrition Program.

The Idaho State House of Representatives passed H921 on March 19, 2026 by a vote of 48 to 21. We have assigned pluses to the nays because this bill expands government funding and control over education-an area that properly belongs to parents and families, not the state. By allocating additional taxpayer dollars to a government-run education system, the Legislature reinforces a monopoly that crowds out private schools and homeschooling. True educational freedom cannot be achieved through compulsory, state-funded schooling, but only when parents are free to direct their children's education without state interference or coerced public financing. Additionally, accepting unconstitutional federal funds not authorized by Article I, Section 8 of the U.S. Constitution always comes with strings attached and erodes state sovereignty.

6. Hearing-loss Screening Requirement

S1294 requires that all infants born in Idaho receive a hearing-loss screening before being discharged from a medical facility. For births occurring outside a medical facility, the bill requires the birth attendant to ensure the screening is completed. This requirement is funded through existing federal funds.

The Idaho State House of Representatives passed S1294 on March 26, 2026 by a vote of 37 to 32. We have assigned pluses to the nays because decisions regarding an infant's medical care should remain with the parents, not the government. Mandating hearing-loss screenings infringes on parental rights and expands government involvement in private healthcare decisions. Additionally, relying on federal funds not authorized by Article I, Section 8 of the U.S. Constitution subjects the state to federal conditions and further erodes state sovereignty.