



Scott Herndon

Idaho Senator, SD-001 (R)

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2024 ID Legislative Scorecard: 100%

Based on the Principles of the U.S. Constitution

✓ Constitutional ✗ Unconstitutional — Did not Vote	Vote
1. Revoking Driver's Licenses of Illegal Aliens: Provides that the Department of Transportation "shall revoke or cancel" the driver's license of a person who "is not lawfully present in the United States." Constitutional: Yes · Cast: Yes · S1216 · Passed 26–9 · 02/01/2024	✓
2. \"Morning-After\" Pill Requirement: Requires health benefit plans to cover a six-month supply of prescription contraceptives. Constitutional: No · Cast: No · S1234 · Passed 19–16 · 02/08/2024	✓
3. Defend the Guard Act: Establishes the "Defend the Guard Act," which prohibits the Idaho National Guard from being mobilized for active duty combat unless Congress has passed an official declaration of war or taken another official constitutional action. Constitutional: Yes · Cast: Yes · S1252 · Passed 27–8 · 03/04/2024	✓
4. Expanding Medicaid for Postpartum Services: Expands Medicaid to offer up to 12 months of postpartum coverage. Constitutional: No · Cast: No · H633 · Passed 24–10 · 03/19/2024	✓
5. Protecting Cryptocurrency: Would protect cryptocurrency by preventing state and local government from imposing undue or discriminatory regulations against blockchain and other forms of distributed ledger technology. Constitutional: Yes · Cast: Yes · S1296 · Rejected 17–18 · 04/02/2024	✓
6. Identification by Biological Sex: Provides a legal definition for "gender" that is consistent with a person's "biological sex." Constitutional: Yes · Cast: Yes · H421 · Passed 26–8 · 04/02/2024	✓



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\$297,522

U.S. National Debt Per Household as of September 3,
2026

Why do these votes matter?

1. Revoking Driver's Licenses of Illegal Aliens

S1216 provides that the Department of Transportation "shall revoke or cancel" the driver's license of a person who "is not lawfully present in the United States."

Persons unlawfully present in the United States ought not to be permitted sanctuary or residency in Idaho, let alone be considered eligible for a state-issued form of identification or license. Rather than pursue blatantly unconstitutional and anti-American policies that undermine the rule of law and erode the value of citizenship, each of the several States should use its powers reserved under the 10th Amendment to end the illegal-migrant invasion and provide for the public safety.

2. "Morning-After" Pill Requirement

S1234 requires health benefit plans to cover a six-month supply of prescription contraceptives. Hormonal birth control drugs and devices, particularly high-dose "morning-after" pills, can and do prevent uterine implantation of developing preborn children, causing them to function not only as "contraceptives," but also as abortifacients, thereby resulting in "silent abortions." Given that the care of human life-not its destruction-is the greatest responsibility of government, Idaho ought to forbid abortion and other grotesque methods of population control entirely, upholding the sanctity of life for every person. The right to life is the most fundamental, God-given, and unalienable right asserted in the Declaration of Independence and guaranteed by the Fifth and 14th Amendments to the U.S. Constitution.

3. Defend the Guard Act

S1252 establishes the "Defend the Guard Act," which prohibits the Idaho National Guard from being mobilized for active duty combat unless Congress has passed an official declaration of war or taken another official constitutional action.

Article I, Section 8, of the U.S. Constitution expressly asserts that "Congress," not the President, "shall have power...to provide for the common defence." Only Congress, as explained and limited by succeeding Clauses 11, 12, and 15, is granted the specified powers to "declare war," "raise and support Armies," and "provide for calling forth the Militia."

4. Expanding Medicaid for Postpartum Services

H633 expands Medicaid to offer up to 12 months of postpartum coverage.

Neither health care nor social welfare is the legitimate object of government. Medicaid discriminatorily and unjustly provides benefits to "eligible" low-income persons, who have little or no tax liability, at the expense of other hard-working citizens. It is financed in large part by immoral and anti-constitutional forms of taxation (e.g., personal income taxes) that take from people the wages they have rightfully earned. Idaho should reject the expansion of Medicaid, as this unsustainable program is not even authorized under Article I, Section 8, of the U.S. Constitution.

5. Protecting Cryptocurrency

S1296 would protect cryptocurrency by preventing undue or discriminatory regulations against blockchain and other forms of distributed ledger technology.

This bill would protect against efforts to ban free-market-based cryptocurrencies, which depend on a decentralized financial transaction network. As such, it acts as an important barrier to an exclusively government-controlled Central Bank Digital Currency. A CBDC would be an unconstitutional and intolerable expansion of tyranny under the Federal Reserve-presenting a significant danger to Americans' civil liberties by decimating personal privacy and allowing for a full-fledged surveillance state.

6. Identification by Biological Sex

H421 provides a legal definition for "gender" that is consistent with a person's "biological sex."

The LGBTQ+ movement is absurdly attempting to erase basic matters of scientific fact through the conflation of biological sex and fictional "gender identity" constructs (e.g., "transgender" or "nonbinary"). As affirmed in the Declaration of Independence, our "unalienable Rights" cannot be defined apart from the self-evident truth-found in the "Laws of Nature and of Nature's God"-that humanity is comprised of persons born distinctly male or female and created equally in the image of "their Creator." The logic from radical social theorists is quite simple: No "Creator," no rights. Each State therefore has a compelling interest and duty to protect against gross efforts to redefine human rights and reinterpret the Constitution based on false premises, such as "sexual fluidity."