

FREEDOMINDEX.US

LEGISLATIVE SCORECARD

BASED ON THE PRINCIPLES OF THE U.S. CONSTITUTION



Does Your Legislator Vote for Freedom?

Scan to view Michael A. Fagg's voting history.
freedomindex.us/5123/

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>



Michael A. Fagg

Kansas

State Senator, SD-014 (R)

freedomindex.us/5123/

63

Lifetime
Freedom
Score

KS Legislative Scorecard 2025

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

Vote

1. Applies to Congress for a constitutional convention under Article V of the U.S. Constitution.



Pro-Freedom: **No** · Cast: **Yes** · SCR1604 · 02/27/2025

2. Prohibits state and local officials from using federal funds for elections or election-related activities.



Pro-Freedom: **Yes** · Cast: **Yes** · SB5 · 04/10/2025

3. Makes gold and silver coins or bullion ("specie") legal tender in Kansas.



Pro-Freedom: **Yes** · Cast: **Yes** · SB39 · 03/20/2025

4. Bars drug manufacturers from blocking deliveries or demanding extra data from Kansas providers in the federal 340B Drug Pricing Program.



Estimated cost per household: **-\$0.18/year.**

Pro-Freedom: **No** · Cast: **Yes** · SB284 · 03/20/2025

5. Bans the use of ranked-choice voting in Kansas elections.



Pro-Freedom: **Yes** · Cast: **Yes** · SB6 · 03/17/2025

6. Creates state incentives-namely a sales tax exemption and a nonrefundable income tax credit-for film, video, and digital media production.



Estimated cost per household: **-\$8.00/year.**

Pro-Freedom: **No** · Cast: **Yes** · SB52 · 02/19/2025

Scorecard Votes: 50%

Why do these votes matter?

1. Article V Con-Con

SCR1604 applies to Congress for a constitutional convention under Article V of the U.S. Constitution to propose amendments that limit the power and jurisdiction of the federal government, impose fiscal restraints on it, and limit the terms of office for members of Congress.

The Kansas State Senate passed SCR1604 on February 27, 2025 by a vote of 29 to 11. 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, legislators should nullify all unconstitutional laws.

2. Prohibiting Federal Funds for Elections

SB5 prohibits state and local officials from using federal funds for elections or election-related activities unless authorized by the Legislature.

The Kansas State Senate passed SB5 on April 10, 2025 by a vote of 31 to 9. We have assigned pluses to the ayes because this bill reinforces the truth that elections are the sole responsibility of the states, not the federal government. Article I, Section 4 of the U.S. Constitution states, “The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature.” SB5 helps preserve state sovereignty and prevents unconstitutional federal influence over elections.

3. Real Money

SB39 makes gold and silver coins or bullion (“specie”) legal tender in Kansas. Specie would be exempted from being taxed as personal property, and gains from selling specie could be subtracted on Kansas income tax returns, starting in tax year 2025. Contracts could specify specie as the form of legal tender, and courts would be required to enforce those contracts.

The Kansas State Senate passed SB39 on March 20, 2025 by a vote of 28 to 12. We have assigned pluses to the ayes because this bill is an important step toward restoring sound, constitutional money by reestablishing gold and silver as legal tender and enforcing contract rights, in full accordance with Article I, Section 10 of the U.S. Constitution.

4. 340B Program

SB284 protects Kansas health providers participating in the federal 340B Drug Pricing Program from interference by drug manufacturers.

The Kansas State Senate passed SB284 on March 20, 2025 by a vote of 34 to 6. We have assigned pluses to the nays because states should not support any programs that lack authorization under Article I, Section 8, of the U.S. Constitution. By forcing private drug manufacturers to comply with mandates that interfere with their freedom to contract, protected under Article I, Section 10, this bill violates constitutional safeguards, undermines federalism, and erodes free-market principles. SB284 entrenches an unconstitutional federal welfare program and expands government interference in healthcare.

5. Prohibiting Ranked-choice Voting

SB6 bans the use of ranked-choice voting (RCV) in Kansas elections. It prohibits ranked-choice methods at the federal, state, county, and municipal levels.

The Kansas State Senate passed SB6 on March 17, 2025 by a vote of 30 to 10. We have assigned pluses to the ayes because RCV undermines election integrity and the electorate’s ability to choose the best candidate. By design, RCV favors moderate-to-leftist candidates who often fail to uphold the Constitution. This complex, multi-round system can result in winners who lack true plurality support, and imposes ballot-marking requirements that may pressure voters to act against their conscience. States should firmly reject all attempts to implement this unconstitutional voting method.

6. Film Tax Incentives

SB52 creates state incentives—namely a sales tax exemption and a nonrefundable income tax credit—for film, video, and digital media production in Kansas in order to grow the film/media industry. To qualify, production companies must apply for approval show details such as their budget, use of Kansas-based vendors or workers, insurance, and evidence of economic impact. The incentives last from tax year 2025 through 2034.

The Kansas State Senate passed SB52 on February 19, 2025 by a vote of 33 to 7. We have assigned pluses to the nays because government has no legitimate authority to prop up private industries through selective tax breaks. Government involvement in incentivizing the film industry distorts the economy, wastes taxpayer dollars, and invites the influence of Hollywood-style culture and values that contradict traditional American principles. Rather than relying on private enterprise and market demand, this law empowers bureaucrats to pick winners and losers, undermining economic freedom and opening the door to immoral and anti-American cultural shifts.