



# Kyle Gay

**Senate** District SD-005  
**Democrat**

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This legislator voted constitutionally on **0%** of the votes shown below.

★ Pro-liberty      ✗ Anti-liberty      ? Did not Vote      **Vote**

**1. HS2-HB125 "Free" School Meals** (passed 21 to 0 on 6/27/2024). **Yes**  
Provides a "free breakfast and lunch every school day" for public school students who qualify, under federal guidelines, for a reduced-price meal. **✗**

**2. HCR155 LGBTQ+ "Pride Month"** (passed 17 to 4 on 6/18/2024). **Yes**  
Recognizes June 2024 as LGBTQ+ "Pride Month." **✗**

**3. SCR100 Article V Convention** (defeated with less than simple-majority vote needed 6 to 5 on 6/13/2024). **None**  
Would apply to Congress for the calling of a "convention of the states" under Article V of the U.S. Constitution. **?**

**4. SB232 'Morning-After' Pill Mandate** (passed 21 to 0 on 3/19/2024). **Yes**  
Requires all health benefit plans to cover over-the-counter "emergency" contraception without a prescription. **✗**

**5. HB99 Delaware Climate Change Solutions Act** (passed 15 to 5 on 6/27/2023). **Yes**  
Establishes a statewide target of "net zero" greenhouse gas emissions from "all economic sectors" by 2050, with at least a 50% reduction in emissions by 2030. **✗**

**6. SB157 "Electronic Money" in the Uniform Commercial Code** **Yes**  
(passed 21 to 0 on 6/15/2023). Changes Delaware's definition of "money" to include "electronic money," as provided by the Uniform Commercial Code. **✗**



**Sen. Kyle Gay**

**Lifetime Score: 0%**

**DE Scorecard 2023-2024**

**2023-2024 Regular Session Score 0%**

The Legislative Scorecard is a nationwide educational program of The John Birch Society. Its purpose is to create an informed electorate on how state legislators are voting. The Scorecard is nonpartisan; it does not promote any candidate or political party. Bills are selected for their constitutional implications and cost to the taxpayers.

**Please share this Scorecard in your district to inform people about your legislator's record on key votes.**

U.S. Constitution, Amendment I --- 11 C.F.R. §114(4)(c)(4) --- 616 F.2d 45 (2d Cir. 1980)

The following scorecard lists several key votes in the Delaware General Assembly in 2023-2024 and ranks state representatives and senators based on their fidelity to (U.S.) constitutional and limited-government principles.

This is our second state-level Scorecard; the selected votes may not be reflective of legislators' overall records. Their cumulative scores will change as we add more votes. Please check regularly for updates.



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# Bill Descriptions for the Votes that Affect You

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## 1. "Free" School Meals

HS2-HB125 provides "free" meals for public school students who qualify, under federal guidelines, for a reduced-price meal.

Neither feeding children nor educating them is the role of the government. Each of these responsibilities belongs to a child's parents or family. 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. The citizens of Delaware must not be forced to fund all that now entails a compulsory, failing, and government-run K-12 school system.

## 2. LGBTQ+ "Pride Month"

HCR155 recognizes June 2024 as LGBTQ+ "Pride Month."

Homosexual *behavior* should be illegal in Delaware, not honored. Being contrary to the "Laws of Nature and of Nature's God," the grossly illicit, self-inhibiting, and unsanitary acts of sexual perversion inherent to the LGBTQ+ movement are destructive of self-government and the family. As with abortion, there is nothing in the U.S. Constitution that can be used to support homosexuality because true "equality" under the law means that there can be no appeal to "Life, Liberty and the pursuit of Happiness" for anyone apart from the moral sanctions set forth by "their Creator" who grants them with "certain unalienable Rights." No amount of celebration can make normal or even constitutional that which truth has told us since time immemorial to abominable and shameful.

## 3. Article V Convention

SCR100 would apply to Congress for an Article V convention.

Efforts to call an Article V convention should be resisted. Instead of failing to uphold their oath of office and risking a constitutional convention, legislators in Delaware and the rest of the States can "support and defend" the U.S. Constitution, as required under Article VI, Clauses 2 and 3, by acting to immediately nullify all unconstitutional federal laws. Whenever the federal government assumes undelegated powers, in blatant violation of the 10th Amendment, nullification of such acts is the proper remedy. Article V of the Constitution was designed to correct potential errors or defects in the Constitution, not to misconstrue or abuse its powers. The States need to use Article VI to enforce the Constitution, rather than use Article V to change it.

## 4. 'Morning-After' Pill Mandate

SB232 requires all health benefit plans to cover over-the-counter "emergency" contraception without a prescription.

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, Delaware 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.

## 5. Delaware Climate Change Solutions Act

HB99 establishes a statewide target of "net zero" greenhouse gas emissions. This bill implements provisions of the United Nations' Agenda 2030 for "sustainable development," codifying extreme "environmental justice" measures into state law. Its push for "a just and equitable transition toward a decarbonized economy" on behalf of "disproportionately" impacted and "historically over-burdened and underserved communities" is an alarmist attempt by globalist elites to expand their taxing power and authority. Significantly, the bill allows for the increased use of "carbon storage and sequestration," which has led to the abuse of eminent domain, encroaching on the property rights of Americans enshrined in the Bill of Rights and the 14th Amendment. Delaware must act to end the unconstitutional war on fossil fuels that will further threaten free-market enterprise, reduce our standards of living, and compromise the integrity of our nation's infrastructure.

## 6. "Electronic Money" in the Uniform Commercial Code

SB157 changes Delaware's definition of "money" to include "electronic money," as provided by the Uniform Commercial Code.

This bill would end free-market-based cryptocurrencies and pave the way for an exclusively government-controlled Central Bank Digital Currency—presenting a significant danger to civil liberties. In fact, this bill was pushed by the Uniform Law Commission, an influential 'Deep State' globalist organization that promotes uniform state laws in America, particularly those "consistent with U.S. laws and international obligations," so as to pursue integration with other countries. Nevertheless, the power to "coin money," let alone authorize or adopt the use of "electronic money," is among the powers denied to the States in Article 1, Section 10, of the U.S. Constitution.