



David Smith

House of Representatives District HD-038

Republican

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View Online

This legislator voted constitutionally on **67%** of the votes shown below.

CPH: Estimated cost per household.

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

1. HB5003 State Budget (passed 105 to 3 on 3/8/2024). **\$13,308** **Yes**
Provides statutory authority to implement the \$117.5 billion General Appropriations Act passed by the Legislature for FY 2024-25. ✗

2. HB1645 Ending the Hoax of "Climate Change" (passed 81 to 29 on 3/7/2024). Removes references to "climate change" in state law, bans wind farms, protects natural gas appliances, and encourages the use of nuclear power technologies. ★

3. HB1451 Denying ID Cards Issued to Illegal Migrants (passed 81 to 32 on 3/4/2024). Prevents a county or municipality from accepting identification cards or documents issued by any person, entity, or organization to individuals not lawfully present in the United States. ★

4. HB1223 Reducing Minimum Age to Purchase Firearms (passed 76 to 35 on 3/1/2024). Would reduce the minimum age requirement to buy, sell, or transfer a firearm from 21 to 18. ★

5. HB601 Stopping Anti-Police "Civilian Review Boards" (passed 87 to 29 on 2/22/2024). Would have prohibited political subdivisions from adopting or attempting to enforce any ordinance involving "civilian oversight of a law enforcement agency" in relation to investigating complaints of officer misconduct. ★

6. HCR693 Article V Convention: Term Limits (passed 80 to 33 on 1/9/2024). Applies to Congress to "call a convention" under Article V of the U.S. Constitution for the "sole purpose" of proposing amendments that would set term limits on members of Congress. ✗



FLORIDA LEGISLATIVE **SCORECARD** BASED ON THE U.S. CONSTITUTION

Rep. David Smith
Lifetime Score: 75%

FL Scorecard 2024
2024 Regular Session Score

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 Florida Legislature in 2024 and ranks state representatives and senators based on their fidelity to (U.S.) constitutional and limited-government principles.



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The Constitution

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Bill Descriptions for the Votes that Affect You

1. FY 2024-25 State Budget

HB5003 provides statutory authority to implement the \$117.5 billion General Appropriations Act for FY 2024-25.

The 2024-25 budget bill contains profligate amounts of illegitimate taxation and spending. It exceeded the previous year's budget bill by more than \$430 million. Despite the Governor's line-item vetoes, it permits a massive and unnecessary \$28.4 billion in funding for the failing K-12 government school system. It also relies heavily on federal dollars, around 33% of the entire budget. This includes continued participation in the Florida Medicaid program, which has over 4 million recipients. It's possible only through immoral and anti-constitutional methods of taxation (e.g., income or property taxes) that take from citizens the wages they have rightfully earned. Floridians should rein in big government and reckless, out-of-control spending.

2. Ending the Hoax of "Climate Change"

HB1645 removes references to "climate change" in state law, bans wind farms, protects natural gas appliances, and encourages the use of nuclear power technologies.

This bill prioritizes Florida's energy independence and resilience, while rejecting the hoax of "climate change," which seeks to implement provisions of the United Nations' Agenda 2030 into state law. Globalist elites are fanatically attempting to expand their taxing power and authority, encroaching on the property rights of Americans enshrined in the Bill of Rights and the 14th Amendment. Florida must 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 infrastructure.

3. Denying ID Cards Issued to Illegal Migrants

HB1451 prevents a county or municipality from accepting identification cards or documents issued to individuals not lawfully present in the United States.

Persons unlawfully present in the United States ought not to be permitted sanctuary or residency in Florida, let alone be considered eligible for a government-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 state should use its powers reserved under the 10th Amendment to end the illegal-migrant invasion and provide for the public safety.

4. Reducing the Minimum Age to Purchase Firearms

HB1223 would reduce the minimum age requirement to buy, sell, or transfer a firearm from 21 to 18.

This bill would remove the state's minimum age requirement that prevents a person younger than 21 from purchasing a firearm, which is both unconstitutional and more restrictive than current federal law. The Second Amendment to the U.S. Constitution expressly declares that the right of the American people "to keep and bear Arms, shall not be infringed."

5. Stopping Anti-Police "Civilian Review Boards"

HB601 (Original Version) would have prohibited political subdivisions from adopting or attempting to enforce any ordinance involving "civilian oversight of a law enforcement agency" in relation to investigating complaints of officer misconduct.

Unelected "civilian review boards" are used by radical anti-police activists who seek to redefine public safety in America by exerting control over state and local law enforcement. First advocated by the Communist Party USA in the 1930s, and then more recently following the death of George Floyd in 2020, "civilian review boards" unduly restrict police from enforcing criminal laws. They do so by acting as prosecutor, judge, and jury in cases of alleged police corruption or brutality. Yet, Article IV, Section 4, of the U.S. Constitution guarantees to "every State"—and by devolution, its political subdivisions—"a Republican Form of Government," which implies government limited to the "rule of law," with a separation of powers among representative officials, who alone exercise civil authority of, by, and for the people. The policymaking process, including oversight, belongs to the constitutionally authorized legislative bodies of government.

6. Article V Convention: Term Limits

HCR693 applies to Congress to "call a convention" under Article V of the U.S. Constitution for the "sole purpose" of proposing amendments that would set term limits on members of Congress.

Term limits conflict with the right of the American people to choose their representatives. Moreover, an Article V constitutional convention (Con-Con) ought to be resisted. Instead of failing to uphold their oath of office and attempting to rewrite the U.S. Constitution, legislators in Florida should act to immediately nullify all unconstitutional federal laws. Whenever the federal government assumes undelegated powers, in violation of the 10th Amendment, nullification of such 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." The several States must use Article VI to enforce the Constitution, rather than use Article V to change it.