

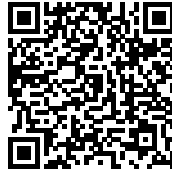


# Ken Upchurch

House of Representatives District  
HD-052

Republican

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700 Capital Ave, Frankfort, KY 40601



View Online

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

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

**1. HB2 Universal Education Funding Amendment** (passed 65 to 32 on 3/13/2024). Proposes to amend the Kentucky Constitution to authorize the financial support of students outside the public school system. **Yes** ✗

**2. HB461 "Stop Arm Camera" Citations** (passed 79 to 14 on 3/11/2024). Allows the use of "stop arm cameras" on school buses and enforces civil penalties against motor vehicle owners for violations, including fines of up to \$1,000, license suspension, and imprisonment. **Yes** ✗

**3. HB357 Second Amendment Financial Privacy** (passed 78 to 18 on 2/27/2024). Forbids the use of a merchant category code that distinguishes a firearms retailer from other retailers and provides that no person or governmental entity may keep a list of privately owned firearms or firearms owners. **Yes** ★

**4. HB255 Freeing Young Adults from "Child Labor" Laws** (passed 60 to 36 on 2/22/2024). Repeals a section of state law that prevents the Department of Workplace Standards from making "child labor" regulations less restrictive than those imposed by the United States Secretary of Labor. **Yes** ★

**5. HB367 Cutting "Work Waivers" for Food Stamps** (passed 61 to 33 on 2/22/2024). Prohibits SNAP recipients who are "able-bodied adults without dependents" from receiving any waiver of work requirements, unless specifically authorized by the General Assembly. **Yes** ★

**6. HB96 "Moment of Silence" to Pray in School** (passed 79 to 17 on 1/31/2024). Requires each local school district to have a "moment of silence or reflection" at the start of every school day, ensuring that all students may "pray" without distraction. **Yes** ★



## KENTUCKY LEGISLATIVE **SCORECARD** BASED ON THE U.S. CONSTITUTION

**Rep. Ken Upchurch**

**Lifetime Score: 72%**

**KY Scorecard 2024**

**2024 Regular Session Score 67%**

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.

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



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# Bill Descriptions for the Votes that Affect You

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## 1. Universal Education Funding Amendment

HB2 proposes to amend the Kentucky Constitution to authorize universal education funding.

This amendment would further expand the government's monopoly on K-12 education, which seeks to displace traditional private schools and homeschooling. Its exchange of public subsidies for curriculum and other regulatory controls effectively turns every participating student into a government-school student. Moreover, education is not the role of government; it is the responsibility of a child's family. The best "school choice" is for parents to choose not to place their child in the hands of the state. Educational freedom cannot be achieved by forcing other citizens to furnish their hard-earned tax dollars to fund all that now entails a compulsory, failing, and state-run K-12 school system.

## 2. "Stop Arm Camera" Citations

HB461 allows the use of "stop arm cameras" on school buses and enforces civil penalties for violations. This bill is equivalent to placing "red light cameras" on school buses, extending the "policing-for-profit" schemes employed by governments and third-party companies. Kentucky law already provides civil penalties for motor vehicle operators witnessed to be in violation of passing a stopped school bus. The use of "stop arm cameras" is nothing more than a techno-authoritarian method to fast-track an unconstitutional means of taxing citizens. It infringes upon the Bill of Rights and the 14th Amendment, specifically the accused's right to privacy and due process.

## 3. Second Amendment Financial Privacy

HB357 forbids using a merchant category code to distinguish a firearms retailer from other retailers.

This bill prevents the unlawful use of credit card payment information to track firearms purchases. A new merchant category code for "gun and ammunition shops" introduced by the International Organization for Standardization (ISO)—a globalist collaborative linked to the United Nations—aims at unconstitutional efforts by the federal government to conduct mass surveillance, create a national gun-owner database, and confiscate firearms from law-abiding citizens. States should nullify any such actions that frustrate or violate Americans' Second and Fourth Amendment rights.

## 4. Freeing Young Adults from "Child Labor Laws"

HB255 repeals a section of state law that prevents the Department of Workplace Standards from making "child labor" regulations less restrictive than those imposed by the United States Secretary of Labor.

Young adults (e.g., 17 or 16-year-olds), who have reached an age of discretion, should not be subject to "child labor laws" or other unreasonable barriers to willful and gainful employment. Parents—not the government—ought to have the final authority and say as to whether their minor children can work. Kentucky must protect the fundamental rights of parents and freedom of association of the American people, which are retained under the Bill of Rights and the 14th Amendment.

## 5. Cutting "Work Waivers" for Food Stamps

HB367 prohibits SNAP recipients who are "able-bodied adults without dependents" from receiving any waiver of work requirements.

Providing cash or food assistance, especially to "able-bodied adults without dependents," is not the legitimate object of government. There exists no "right to food" apart from a person earning it themselves or having received it privately and voluntarily from someone else. Taxation in the name of "social welfare" is neither just nor charitable. "Public assistance benefits" rely on the unconstitutional and discriminatory use of federal and state taxpayer money on behalf of some citizens at the expense of others, resulting in more debt, dependency, and poverty. The Supplemental Nutrition Assistance Program (SNAP) is not authorized under Article I, Section 8, of the U.S. Constitution.

## 6. "Moment of Silence" to Pray in School

HB96 requires each local school district to have a "moment of silence" at the start of every school day, ensuring that all students may "pray."

This bill supports the religious liberty of students, including their right to pray in school. Prior to the U.S. Supreme Court's erroneous decision in *Engel v. Vitale* in 1962, prayer in schools had been not just constitutionally protected, but a long-standing tradition and common practice. In fact, Kentucky law still authorizes the recitation of the "Lord's prayer" in schools as a reminder that it "is the prayer our pilgrim fathers recited." The U.S. Constitution's First Amendment clearly says, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." As a restriction addressed solely to "Congress," it limits only the federal government, not the States. Since 1792, the Kentucky Constitution has consistently declared that "all men" have "the right of worshipping Almighty God according to the dictates of their consciences," and that "no human authority shall, in any case whatever, control or interfere with the rights of conscience."