



Nicholas Muscarello

House of Representatives District
HD-086

Republican

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View Online

This legislator voted constitutionally on **83%** of the votes shown below.

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

1. SCR21 Sovereign Right to Nullification (passed 67 to 29 on 6/7/2023). Affirms “the sovereign right of Louisiana to nullify unconstitutional acts of the federal government.” **Yes** ★

2. HB648 Ban on Sex Mutilation Against Minors (passed 75 to 25 on 6/6/2023). Would, as the “Stop Harming Our Kids Act,” ban certain procedures to alter the sex of a minor child. **Yes** ★

3. HB466 Prohibiting Gender Ideology in Classrooms (passed 74 to 25 on 6/6/2023). Would prohibit teachers, school employees, or other presenters in public schools from covering topics of sexual orientation and gender identity in a manner that deviates from state content standards or curricula approved by public school governing authorities. **Yes** ★

4. HB399 Exemptions from Student Vaccine Mandates (passed 68 to 25 on 6/6/2023). Would apply exemptions to student immunization requirements not only to students seeking to enter school but also to students attending school. **Yes** ★

5. HB131 Permitless Firearm Carry (passed 71 to 29 on 5/23/2023). Would remove the requirement that a person possess a valid concealed handgun permit in order to carry a concealed handgun. **Yes** ★

6. HB98 Universal 'Education Savings Accounts' (passed 61 to 37 on 5/16/2023). Would create the Sunshine Scholarship Program for K-12 students not enrolled in public school, providing state funding for qualified education expenses directly to parents through “a universal education freedom account.” **✗**



LOUISIANA LEGISLATIVE SCORECARD

BASED ON THE U.S. CONSTITUTION

Rep. Nicholas Muscarello

LA Scorecard 2023

Lifetime Score: 64%

2023 Regular Session Score 83%

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 Louisiana State Legislature in 2023 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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The Constitution

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Bill Descriptions for the Votes that Affect You

1. Sovereign Right to Nullification

SCR21 affirms “the sovereign right of Louisiana to nullify unconstitutional acts of the federal government.”

Article VI, Clause 2, of the U.S. Constitution requires that federal laws be made “in Pursuance” of the Constitution in order to be the “supreme Law of the Land.” As such, any federal act that violates the Constitution is unconstitutional and therefore null, void, and of no force. Given that Article VI, Clause 3, further requires that state officials “shall be bound by Oath or Affirmation, to support this Constitution,” legislators in Louisiana indeed have a solemn duty to uphold the sovereign right of the people to resist and obstruct usurpations of power by the federal government. Nullification is the Constitution’s solution to reining in out-of-control government.

2. Ban on Sex Mutilation Against Minors

HB648, the “Stop Harming Our Kids Act,” would ban certain procedures to alter the sex of a minor child.

Louisiana should act to ban sex mutilation, which not only violates the unalienable right to life and limb of children, but absurdly attempts to erase biological “sex” with fictional “gender” constructs. According to the Bill of Rights and the 14th Amendment of the U.S. Constitution, the States have a duty to protect the humanity of all people—male and female—who, as the Declaration of Independence affirms, are created by God and form the basis of individual and family self-government.

3. Prohibiting Gender Ideology in Classrooms

HB466 would prohibit teachers, school employees, or other presenters in public schools from covering topics of sexual orientation and gender identity in a manner that deviates from state content standards or curricula approved by public school governing authorities.

Parents have the right—which the government has a duty to uphold—to protect their children from obscene, indecent, or profane activity, including LGBT+ gender ideology-related content in the classroom. This right is retained under and guaranteed by the 9th and 14th Amendments to the U.S. Constitution.

4. Exemptions from Student Vaccine Mandates

HB399 would apply exemptions to student immunization requirements not only to students seeking to enter school but also to students attending school.

Vaccine mandates ought to be rejected, as an individual’s non-injurious activities, including personal health care decisions, are private matters that should not be under federal, state, or local jurisdiction in the United States. To compel American citizens to receive medical treatment would be to violate their fundamental rights protected by the Bill of Rights and the 14th Amendment to the U.S. Constitution.

5. Permitless Firearm Carry

HB131 would remove the requirement that a person possess a valid concealed handgun permit in order to carry a concealed handgun.

This bill would have removed the state’s unconstitutional permit requirement to carry a firearm. The Second Amendment to the U.S. Constitution guarantees that the right of the American people “to keep and bear Arms, shall not be infringed.”

6. Universal 'Education Savings Accounts'

HB98 would create the Sunshine Scholarship Program for K-12 students not enrolled in public school, providing state funding for qualified education expenses directly to parents through “a universal education freedom account.”

This bill, under the appealing but misleading guise of “school choice,” would effectively turn all schooling into government schooling by displacing traditional private and home education options. The so-called “scholarship program” it proposes actually threatens educational freedom since it would further entangle parents and religious organizations in an ever more intrusive system of state-approved curriculum controls, as a result of the various strings attached to taxpayer funding. Besides, education is not the role of government—it is the responsibility of a child’s parents. Forcing the citizens of Louisiana to furnish taxpayer money for a compulsory, failing, and government-run K-12 school system violates their individual liberties guaranteed by the Bill of Rights.