



D. J. Swearingen

House of Representatives District HD-089

Republican

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View Online

This legislator voted constitutionally on **100%** of the votes shown below.

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

1. HB68 Ban on Sex Mutilation of Children (passed 62 to 27 on 12/13/2023). Would protect minor children from “gender reassignment” surgeries and “cross-sex hormone or puberty-blocking” drugs. **Yes**

2. HB272 Concealed Carry in Multiuse Courtroom Buildings (passed 57 to 29 on 12/6/2023). Would permit a concealed handgun licensee to carry a handgun in a building that is not a courthouse but in which a courtroom is located. **Yes**

3. HB161 ‘Marital Rape’ as a Criminal Offense (passed 75 to 1 on 11/29/2023). Would eliminate the spousal exception for rape as a criminal sex offense, allowing a person to be convicted of rape involving their spouse, regardless of whether their spouse lives with them. **None**

4. HB8 Parents' Bill of Rights (passed 65 to 29 on 6/21/2023). Would require public schools to adopt a parental notification policy on matters related to student health and well-being, including instructional materials with sexuality content. **Yes**

5. HB73 Patient and Health Provider Protection Act (passed 75 to 17 on 6/21/2023). Would authorize physicians to prescribe off-label medications, prevent state and local agencies from enforcing certain related federal rules or orders, and prohibit the denial of nutrition or fluids to a patient. **Yes**

6. SJR2 Supermajority Vote for State Constitutional Amendments (adopted 62 to 37 on 5/10/2023). Proposed an amendment to the Ohio Constitution that would have required any future constitutional amendment to be approved by at least 60% of the voters. **Yes**



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

Rep. D. J. Swearingen

OH Scorecard 2023

Lifetime Score: 100%

2023 Regular Session Score 100%

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 Ohio General Assembly 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. Ban on Sex Mutilation of Children

HB68 would protect minor children from “gender reassignment” surgeries and “cross-sex hormone or puberty-blocking” drugs.

No person has a right to abuse a child using the pretext of LGBTQ+ ideology. Sex mutilation against minor children violates their unalienable right to life and limb, as it absurdly attempts to erase their biological characteristics 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.

2. Concealed Carry in Multiuse Courtroom Buildings

HB272 would permit a concealed handgun licensee to carry a handgun in a building that is not a courthouse but in which a courtroom is located.

This bill eases Ohio’s broad and blatantly unconstitutional restrictions on firearms, specifically in multiuse courtroom buildings—thereby helping to restore the rights of law-abiding citizens. The Second Amendment guarantees that “the right of the people to keep and bear Arms, shall not be infringed,” while the Bill of Rights and the 14th Amendment prevent “any State” from depriving or denying “any person” of their “life, liberty, or property, without due process of law.”

3. ‘Marital Rape’ as a Criminal Offense

HB161 would eliminate the spousal exception for rape as a criminal sex offense, allowing a person to be convicted of rape involving their spouse, regardless if their spouse lives with them.

Rape and other criminal acts of sexual immorality (e.g., incest and sodomy), by definition, can only occur apart from the marital covenant. Rather than attempt to criminalize sexual relations between spouses, Ohio should perform its constitutional duty to affirm and support the institution of marriage, whereby a husband and wife, based on mutual consent and contract, may enjoy their conjugal rights as part of a life-long commitment and one-flesh union. God—not the State—ordained marriage as the foundation of family government, built on the concept of complementary manhood and womanhood. Under the 9th and 14th Amendments, heads of household retain their authority to regulate self-governing behavior in the home.

4. Parents' Bill of Rights

HB8 would enact the “Parents’ Bill of Rights” to require public schools to adopt a parental notification policy on matters related to student health and well-being, including instructional materials with sexuality content.

The upbringing, education, and care of children belongs to—and is a fundamental right of—parents, not the government. The State of Ohio has a duty to uphold the right of parents to protect their children from obscene, indecent, or profane activity. This right is retained under and guaranteed by the 9th and 14th Amendments to the U.S. Constitution.

5. Patient and Health Provider Protection Act

HB73, the “Dave and Angie Patient and Health Provider Protection Act,” would authorize physicians to prescribe off-label medications, prevent state and local agencies from enforcing certain related federal rules or orders, and prohibit the denial of nutrition or fluids to a patient.

This bill would improve the ability of health providers to effectively treat and care for their patients without fear of government retribution, especially in the aftermath of COVID-19. Patients have a right to rely upon the practices of the physicians of their choice, and any effort to interfere with their medical freedom ought to be rejected, as an individual’s non-injurious activities, including health decisions, are private matters that should not be under federal, state, or local jurisdiction in the United States. To compel American citizens to receive, or abide by unnecessary restrictions on, medical treatment would be to violate their fundamental liberties protected by the Bill of Rights and the 14th Amendment.

6. Supermajority Vote for State Constitutional Amendments

SJR2 proposed an amendment to the Ohio Constitution that would have required any future constitutional amendment to be approved by at least 60% of the voters.

A supermajority of the electorate—not the current threshold of only more than 50 percent of voters—should be required to approve of any legitimate changes to the Ohio Constitution. While the American Founders believed that government derives its just powers from the consent of the governed, they understood that a simple majority is insufficient to protecting the individual rights and liberty of the people from the “dangers of democracy,” which threaten to result in a “tyranny of the majority” or an “elective despotism.” This explains why the U.S. Constitution, in Article IV, Section 4, explicitly guarantees to “every State in this Union a Republican Form of Government.” It provides that government be limited to the ‘rule of law,’ as opposed to mere ‘majority rule’ in a democracy.