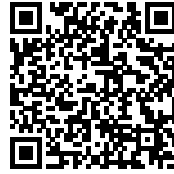




Jay Kilmartin

House District HD-085
Republican

Contact: (803) 212-6963
1100 Gervais St, Columbia, SC 29208



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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. H4624 Ban on Sex Mutilation of Children (passed 67 to 26 on 5/9/2024). Bans a health care professional from engaging in the provision or performance of "gender transition procedures" to a person under 18 years of age. **Yes**

2. S915 South Carolina "Health Czar" Bill (passed 98 to 15 on 5/8/2024). Would create the office of the Secretary of Public Health and Policy to develop a "cohesive, coordinated, and comprehensive State Health Services Plan." **No**

3. Motion to Table: HA29A-H5100 Prohibiting Non-Citizen Voter Registration (passed 98 to 14 on 5/8/2024). Struck down an amendment to the FY 2024-25 General Appropriations Act that would have prohibited state agencies from distributing voter registration forms to non-citizens. **No**

4. J35 Defeating James Smith for Circuit Court Judge (passed 70 to 36 on 4/17/2024). Prevented former State Rep. and Democratic gubernatorial candidate James Smith from being elected to the position of Circuit Court Judge, 5th Judicial Circuit, Seat 1. **Yes**

5. H5164 Expanding Government-Run Education **\$94** **Yes** (passed 69 to 27 on 3/21/2024). Would increase the amounts of annual refundable tax credits allocated to the Education Scholarship Trust Fund and expand eligibility to all private and homeschool students.

6. H3676 Article V Convention: Balanced Budget Amendment **Yes** (passed 68 to 30 on 2/29/2024). Would apply to Congress for a "convention of the states" under Article V of the U.S. Constitution "limited" to proposing a balanced budget amendment.



SOUTH CAROLINA LEGISLATIVE

SCORECARD

BASED ON THE U.S. CONSTITUTION

Rep. Jay Kilmartin

Lifetime Score: 75%

SC Scorecard 2024

2023-2024 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 South Carolina 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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The Constitution

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Bill Descriptions for the Votes that Affect You

1. Ban on Sex Mutilation of Children

H4624 bans a health care professional from performing “gender transition procedures” on a person under 18 years of age.

No person has a right to harm 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 sex with fictional “gender identity” constructs. According to the Bill of Rights and the 14th Amendment of the U.S. Constitution, every State has a duty to defend the basic humanity of its citizens, each of whom is born distinctly male or female, and, as the Declaration of Independence affirms, created equally in the image of God.

2. South Carolina "Health Czar" Bill

S915 would create the office of the Secretary of Public Health and Policy.

This bill would consolidate several state agencies into one and put a "health czar" in control of South Carolina's public-health bureaucracy. In addition, the new government health office would have “emergency powers, in addition to its existing powers, over persons as necessary” to issue orders prescribing “restrictive measures” (e.g., lockdowns). Yet, “public health” is not the legitimate object of government. An individual's non-injurious personal health care decisions should not be under federal, state, or local jurisdiction. Compelling “preventive” medical treatment violates the fundamental rights of the people protected by the Bill of Rights and the 14th Amendment.

3. Non-Citizen Voter Registration

HA29A-H5100 would have amended the FY 2024-25 General Appropriations Act to prohibit state agencies from distributing voter registration forms to non-citizens.

Non-citizens, especially illegal aliens, should not receive voter registration forms. The U.S. Constitution was written to “promote the general Welfare” of American citizens, and only “We the People of the United States” retain the “right of Representation in the Legislature.” Allowing non-citizens to illegally register to vote fails to “secure the Blessings of Liberty to ourselves and our Posterity.” South Carolina should exercise its authority under Article I, Section 4, of the Constitution, as well as the 14th and 26th Amendments, for purposes of election integrity, thereby ensuring equal protection of “the right of citizens of the United States to vote.”

4. Defeating James Smith for Circuit Court Judge

J35 prevented former State Representative and Democratic gubernatorial candidate James Smith from being elected to the position of Circuit Court Judge, 5th Judicial Circuit, Seat 1.

Justice is the overall purpose of civil government, and the care of human life—not its destruction—is its greatest responsibility. However, a judicial system is only as good as those who apply the law. James Smith's open and unabashed support for abortion, as revealed in his endorsement from Planned Parenthood, renders him unfit to hold public office, particularly that of a judge. 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. Expanding Government-Run Education

H5164 would increase the amounts of annual refundable tax credits allocated to the Education Scholarship Trust Fund and expand eligibility to all private and homeschool students.

This bill would further expand the government's monopoly on K-12 education, which seeks to displace traditional private or homeschooling in favor of universal state-sponsored schooling. 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's education in the hands of the state. Educational and economic 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 government-run K-12 school system.

6. Article V Convention: Balanced Budget Amendment

H3676 would apply to Congress for an Article V Convention “limited” to proposing a balanced budget amendment (BBA).

Efforts to call an Article V convention should be resisted. Instead of failing to uphold their oath of office and attempting to rewrite the U.S. Constitution, state legislators 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. Moreover, simply following the Constitution's limitations on federal power would more than balance the budget, whereas a BBA would have significant loopholes allowing for continued excessive spending. Article V was designed to correct potential errors or defects in the Constitution, not to misconstrue or abuse its powers. The States must use Article VI to enforce the Constitution, rather than use Article V to change it.