



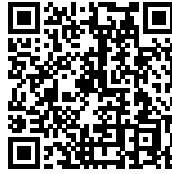
# Mark A. Wheatley

House of Representatives District HD-035

Democrat

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View Online

This legislator voted constitutionally on **17%** of the votes shown below.

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

**1. HB467 Closing Abortion Clinics** (passed 56 to 14 on 3/3/2023). Prevents an abortion clinic from being licensed after May 2, 2023, and from operating on or after January 1, 2024, or when their license expires. **No** ✗

**2. SB217 CHIP "Benefits" for Illegal Aliens** (passed 64 to 7 on 3/1/2023). Creates new Children’s Health Insurance Program (CHIP) “benefits” for non-citizen children aged 18 or younger who are not lawfully present in United States. **Yes** ✗

**3. Rightful Return of Firearms Seized at Airports** (passed 58 to 14 on 2/24/2023). Provides that a firearm seized from an individual at an airport shall be returned to that individual if they are the rightful owner of and may lawfully possess the firearm. **No** ✗

**4. HB205 Contingency Voting in Primary Elections** (passed 38 to 36 on 2/17/2023). Would establish a majority-based runoff process in regular primary elections through contingency voting. **No** ★

**5. HB116 State Funding of Low-Income Family 529 Plans** (passed 66 to 0 on 2/13/2023). Allows an individual experiencing “intergenerational poverty” to receive a state match of deposits into certain 529 savings accounts. **Yes** ✗

**6. SB16 Ban on Sex Mutilation Against Minors** (passed 58 to 14 on 1/26/2023). Bans “transgender medical treatments and procedures” against minor children. **No** ✗

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

**Rep. Mark A. Wheatley**      **UT Scorecard 2023**  
**Lifetime Score: 8%**      **2023 Regular Session Score 17%**

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 Utah 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

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## 1. Closing Abortion Clinics

HB467 prevents an abortion clinic from being licensed after May 2, 2023, and from operating on or after January 1, 2024, or when their license expires.

The care of human life—not its destruction—is the greatest responsibility of government. Utah ought to forbid the practice of abortion entirely and secure the right to life for every preborn child. The right to life is the most fundamental, God-given, and unalienable right asserted in the Declaration of Independence and protected by the Fifth and 14th Amendments to the U.S. Constitution.

## 2. CHIP "Benefits" for Illegal Aliens

SB217 creates new Children's Health Insurance Program (CHIP) "benefits" for non-citizen children aged 18 or younger who are not lawfully present in United States.

Persons who enter the United States illegally—which, by definition, is a crime—ought not to be permitted sanctuary or residency in Utah, let alone be considered eligible for CHIP "benefits." Besides, neither health care nor social welfare is the legitimate object of government. CHIP, like Medicaid and other so-called federal and state-level 'entitlement' programs, relies on the unjust use and taxation of the American citizen's income, a violation of not only Article 1, Section 8, of the U.S. Constitution, but the Bill of Rights and the 14th Amendment.

## 3. Rightful Return of Firearms Seized at Airports

HB461 provides that a firearm seized from an individual at an airport shall be returned to that individual if they are the rightful owner of and may lawfully possess the firearm.

This bill helps to restore the constitutional 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."

## 4. Contingency Voting in Primary Elections

HB205 would establish a majority-based runoff process in regular primary elections through contingency voting.

This bill would for all intents and purposes enact a form of instant-runoff voting (IRV) or ranked-choice voting (RCV) in Utah statewide. Contingency voting (CV) is just another version of the various "alternative voting methods" under the complicated, multiple-round, and unconstitutional IRV/RCV system that weakens election integrity by allowing a candidate to potentially win without genuine support from a plurality of voters. The scheme's ballot casting requirements cause voter disenfranchisement by undermining each citizen's right to vote, and could deny them from being able to select the one and only candidate of their choice.

## 5. State Funding of Low-Income Family 529 Plans

HB116 allows an individual experiencing "intergenerational poverty" to receive a state match of deposits into certain 529 savings accounts.

The funding of college tuition expenses or "tax-advantaged" education savings plans is not the role of government—rather, it is the responsibility of the students or private account holders themselves. The state has absolutely no business identifying persons of "intergenerational poverty" based on their family's income history, and ought not to discriminatorily provide one group of individuals, who have little or no tax liability, with government funds at the expense of other, hard-working residents. In reality, this bill is counterproductive, and will only cause more debt, poverty, and government dependency.

## 6. Ban on Sex Mutilation Against Minors

SB16 bans "transgender medical treatments and procedures" against minor children.

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.