



Dave Marsden

Senate District SD-037
Democrat

Contact: (804) 698-7535
1000 Bank St, Richmond, VA 23218



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This legislator voted constitutionally on **0%** of the votes shown below.

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

1. SJR255 Right to Abortion (Passed 21 to 18 on 2/7/2023). **Yes**
Would have created a "right" to abortion in the Virginia Constitution. ✗

2. SB1441 Offshore Wind (Passed 38 to 2 on Yes 2/7/2023). Authorizes a review of offshore wind in the state and accelerates the wind project deadline. ✗

3. SB1051 Property Rights (Passed 22 to 18 on Yes 4/12/2023). Provides that a vehicle owned and operated by a public utility company or broadband service provider may be temporarily left on private property without the consent of the owner of the property. ✗

4. SB1405 Internal Revenue Code (Passed 40 to 0 on Yes 4/12/2023). Would conform Virginia to the Internal Revenue Code ("IRC") on a rolling basis. ✗

5. SB1085 Vehicle Noise (Passed 31 to 8 on 2/6/2023). Directs the Superintendent of State police to convene a work group to examine the issue of vehicle noise in Virginia. ✗

6. SB861 Traffic Control Devices (Passed 28 to 12 on Yes 2/22/2023). Authorizes the governing body of any locality in Planning District 23 to establish a traffic control device violation monitoring system. ✗



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

Sen. Dave Marsden

Lifetime Score: 0%

VA Scorecard 2023

2023 Regular Session Score 0%

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 Virginia Legislature in 2023 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. Right to Abortion

SJR255 would have created a “right” to abortion in the Virginia Constitution.

The Virginia State Senate passed SJR255 on February 7, 2023 by a vote of 21 to 18. We have assigned pluses to the nays because the right to life is the most fundamental, God-given, and unalienable right asserted in the Declaration of Independence and protected by the U.S. Constitution and SJR255 violates that right. There should be greater protections for the right to life beyond those provided by the 4th, 5th, and 14th Amendments.

2. Offshore Wind

SB1441 requires that the State Corporation Commission, in conducting its review of costs associated with generating facilities utilizing energy derived from offshore wind, to give due consideration to the economic development benefits of the project. It also accelerates the timeline from 2034 to 2032 for public utilities to construct or purchase offshore wind generation facilities.

The Virginia State Senate passed SB1441 on February 7, 2023 by a vote of 38 to 2. We have assigned pluses to the nays because it is well known that wind, solar, and green energy receive substantial government subsidies, raising serious concerns about their constitutionality. The globalist green agenda, associated with the UN's Agenda 2030, has no place in this country.

3. Property Rights

SB1051 provides that a vehicle owned and operated by a public utility company or broadband service provider for purposes of providing service and maintenance for such company or provider may be temporarily left on private property without the consent of the owner of the property.

The Virginia State Senate passed SB1051 on April 12, 2023 by a vote of 22 to 18. We have assigned pluses to the nays because this law blatantly violates the U.S. Constitution, specifically the Fifth and Fourteenth Amendments. The Fifth Amendment explicitly states, "nor shall private property be taken for public use, without just compensation." Furthermore, the Fourteenth Amendment declares, "nor shall any State deprive any person of life, liberty, or property, without due process of law."

4. Internal Revenue Code

SB1405 would conform Virginia to the Internal Revenue Code (“IRC”) on a rolling basis. This would allow Virginia to conform to federal tax changes to the IRC as soon as they are enacted by Congress, and it would also allow Virginia to conform to the Inflation Reduction Act (“IRA”) and the Consolidated Appropriations Act of 2023 (“CAA”).

The Virginia State Senate passed SB1405 on April 12, 2023 by a vote of 40 to 0. We have assigned pluses to the nays because it is irresponsible to legally bind one's state to changes in federal law, especially regarding tax policy. Such a decision could potentially complicate future attempts to nullify federal tax laws, particularly if they become excessively draconian. The Constitution establishes a system of checks and balances, which safeguards state sovereignty by preventing the federal government from exceeding its authority and encroaching upon powers reserved for the states.

5. Vehicle Noise

SB1085 directs the Superintendent of State police to convene a work group to examine the issue of vehicle noise in Virginia.

The Virginia State Senate passed SB1085 on February 6, 2023 by a vote of 31 to 8. We have assigned pluses to the nays because there is nothing more absurd than establishing a work committee solely focused on addressing vehicle noise. This effort is part of the broader environmental and green agenda, with the government advocating for quieter electric vehicles. The government's intentions to eventually ban gas-powered vehicles in the state as is already happening in other leftist-run states.

6. Traffic Control Devices

SB861 authorizes the governing body of any locality in Planning District 23 to establish a traffic control device violation monitoring system, which allows imposing monetary liability on the operator of a vehicle for failure to comply with traffic control devices at any intersection deemed by the local governing body to be negatively impacted by traffic due to the Hampton Roads Bridge-Tunnel Express Lanes Hampton Segment Project.

The Virginia State Senate passed SB861 on February 22, 2023 by a vote of 28 to 12. The have assigned pluses to the nays because traffic control device monitoring systems are argued to violate due process, a fundamental principle enshrined in the U.S. Constitution and primarily protected by the Fifth and Fourteenth Amendments. Additionally, these systems can be seen as infringing upon the Fourth Amendment, which safeguards individuals from unreasonable searches and seizures by the government.