



# Michael Caputo

**Senate** District SD-013  
**Democrat**

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

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

**1. HB2007 Ban on Sex Mutilation of Children** (passed 30 to 2 on 3/11/2023). Bans a physician from providing “irreversible gender reassignment surgery” or “gender altering medication” to a person who is under 18 years of age. **No** ✗

**2. SB584 Eliminating Abortions Based on Rape or Incest** (motion to table adopted 29 to 5 on 2/23/2023). Would remove the rape and incest exception to obtain an abortion in West Virginia. **Yes** ✗

**3. SB306 "Summer Feeding for All" Program** (passed 30 to 1 on 1/31/2023). Establishes the “Summer Feeding for All” program to reduce “food insecurity” by providing meals to the students during “summer and non-school-day times.” **Yes** ✗

**4. SB10 Concealed Carry on College Campuses** (passed 29 to 4 on 1/24/2023). Authorizes concealed handgun license holders to carry firearms on public college and university campuses. **No** ✗

**5. SB162 Leasing Public Land for Carbon Capture** (passed 30 to 0 on 1/20/2023). Permits the Division of Natural Resources to lease state-owned “pore spaces” in “state forests, natural and scenic areas, and management areas, and other lands” for carbon sequestration. **Yes** ✗

**6. SB115 Article V Convention: Delegate Selection Procedure** (passed 29 to 1 on 1/20/2023). Outlines a procedure for West Virginia to select delegates to a “convention for proposing amendments” under Article V of the U.S. Constitution. **No** ★



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

**Sen. Michael Caputo**

**WV Scorecard 2023**

**Lifetime Score: 9%**

**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 West Virginia Legislature in 2023 and ranks state delegates 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. Ban on Sex Mutilation of Children

HB2007 bans a physician from providing “irreversible gender reassignment surgery” or “gender altering medication” to a minor.

No person has a right to harm a child using the pretext of LGBTQ+ ideology. Sex mutilation against minors violates their “unalienable” right to life and limb, as it absurdly attempts to erase their biological sex with fictional ‘gender’ 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. Eliminating Abortions Based on Rape or Incest

SB584 would remove the rape and incest exception to obtain an abortion in West Virginia.

The care of human life—not its destruction—is the greatest responsibility of government. West Virginia ought to forbid abortion entirely and uphold the sanctity of life for every person, especially preborn children. 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.

## 3. "Summer Feeding for All" Program

SB306 establishes the “Summer Feeding for All” program to reduce “food insecurity” during “summer and non-school-day times.”

Neither feeding children nor educating them is the role of the government; indeed, each of these responsibilities belongs to a child’s parents or family. Not only does charity have no part in the duty of government, but there can be no such thing as a “free” meal that comes at “no cost.” This type of ‘cradle-to-grave’ program relies on the unconstitutional theft of taxpayer money for use on behalf on some citizens at the expense of others—resulting in more debt, dependency, and poverty. Moreover, public school districts have absolutely no business addressing “food security,” which the United Nations’ Agenda 2030 “Zero Hunger” initiative describes as a “precondition for the full enjoyment of the right to food,” based on Article 25 of the anti-constitutional and socialist Universal Declaration of Human Rights. The hard-working people of West Virginia should not be forced to fund all that now entails a compulsory, failing, and government-run K-12 school system.

## 4. Concealed Carry on College Campuses

SB10, the Campus Self-Defense Act, authorizes concealed handgun license holders to carry firearms on public college and university campuses.

This bill eases blatantly unconstitutional gun control restrictions on college campuses in West Virginia. Every person has a natural and individual right to self-defense, regardless of their location, which is why the Second Amendment to the U.S. Constitution expressly declares that “the right of the people to keep and bear Arms, shall not be infringed.”

## 5. Leasing Public Land for Carbon Capture

SB162 permits the Division of Natural Resources to lease state-owned “pore spaces” in “state forests, natural and scenic areas, and management areas, and other lands” for carbon sequestration.

The recent and unjust expansion of carbon capture storage systems in the United States is closely connected to the United Nations’ 2030 Agenda for “sustainable development.” The abuse of eminent domain for these carbon dioxide pipelines—in the name of “climate change”—threatens the property rights of all Americans, particularly those who live in rural parts of West Virginia and elsewhere in the country. If we are to remain the “land of the free,” then the States and the people must put an end to the global war on farmers and ranchers.

## 6. Article V Convention: Delegate Selection Procedure

SB115 outlines a procedure for West Virginia to select delegates to a “convention for proposing amendments” under Article V of the U.S. Constitution.

Efforts to call an Article V convention should be resisted. Instead of failing to uphold their oath of office and risking a constitutional convention, legislators in West Virginia and the rest of the States can “support and defend” the U.S. Constitution, as required under Article VI, Clauses 2 and 3, by acting to immediately nullify all unconstitutional federal laws. Whenever the federal government assumes undelegated powers, in blatant violation of the 10th Amendment, nullification of such acts is the proper remedy. Article V of the Constitution was designed to correct potential errors or defects in the Constitution, not to misconstrue or abuse its powers. The States need to use Article VI to enforce the Constitution, rather than use Article V to change it.