

PRESIDENTIAL CANDIDATE TAX RETURN DISCLOSURE ACT

Summary: The Presidential Candidate Tax Return Disclosure Act would keep a candidate for President or Vice-President off the state's ballot unless the candidate discloses his or her federal income tax returns for the prior five years.

Note: This model is based on [Pennsylvania SB 247](#) by Senator Daylin Leach

SECTION 1. SHORT TITLE

This Act shall be called the "Presidential Candidate Tax Return Disclosure Act."

SECTION 2. FINDINGS AND PURPOSE

(A) FINDINGS—The legislature finds that:

- 1 For the past 40 years, every President and major-party presidential nominee has released his or her tax returns to the public—until Donald Trump.
- 2 Candidates running for the most powerful position in the world should be required to allow voters to consider the impact of their financial dealings. Tax returns shed light on sources of income, assets owned and debts owed, business partners, and charitable contributions. They are strong evidence of the likelihood for conflicts of interest, business judgment, and their values when it comes to charity.
- 3 According to [recent public opinion polling](#), almost 3/4th of all Americans believe the President should release his tax returns, including a majority of Republicans.
- 4 The State decides the qualifications for placing candidates on its own ballot. It is thus necessary and appropriate to use that power to guarantee voters the information they need to make informed decisions about each candidate.

(B) PURPOSE—This law is enacted to protect the integrity of America's democratic system, as well as to prevent corruption and conflicts of interest at the highest levels of our government.

SECTION 3. PRESIDENTIAL CANDIDATE TAX RETURN DISCLOSURE

After section XXX, the following new section XXX shall be inserted:

(A) MANDATORY DISCLOSURE—Notwithstanding any other provision of this act to the contrary, the name of a candidate for the office of President or Vice President of the United States may not be printed on an official ballot in this State for a general election unless the candidate submits the following to the [Secretary of State] no later than 50 days before the general election:

- 1 A complete copy of the candidate's federal income tax return, as defined under section 6103(b)(1) of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 6103(b)(1)), for at least the five most recent taxable years.
- 2 A written consent, in the form prescribed by the [Secretary of State], for the public disclosure of the Federal income tax returns under paragraph (1).

(B) POSTING—Subject to subsection (C), if the written consent under subsection (A) (2) has been submitted, the [Secretary of State] shall post the federal income tax returns under subsection (A)(1) on the publicly accessible Internet website of the

[Department of State] no later than seven days after the federal income tax returns have been submitted to the [Secretary of State].

(C) REDACTION—Prior to the disclosure of a federal income tax return under this section and following any necessary consultation with other governmental authorities, the [Secretary of State] shall redact information from the federal income tax return as appropriate.

(D) VOTE OF PRESIDENTIAL ELECTOR—Notwithstanding any other law to the contrary, a presidential elector at the quadrennial meeting under Article XV may not vote for a candidate for the office of President or Vice President of the United States if the candidate has failed to comply with the requirements under this section.

(E) RULES AND REGULATIONS—The [Department of State] shall promulgate rules and regulations necessary to implement the provisions of this section.

SECTION 4. EFFECTIVE DATE

This Act shall take effect on July 1, 20XX.