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Legislative Document

No. 722

H.P. 527

House of Representatives, February 11, 2019

An Act To Require Presidential and Vice-Presidential Candidates To Disclose Their Federal Income Tax Returns

Reference to the Committee on Veterans and Legal Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative BERRY of Bowdoinham.
Cosponsored by Senator BELLOWS of Kennebec and
Representatives: ACKLEY of Monmouth, BLUME of York, HICKMAN of Winthrop,
McCREIGHT of Harpswell, MOONEN of Portland, SCHNECK of Bangor, STANLEY of
Medway, Senator: CARPENTER of Aroostook.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 21-A MRSA c. 5, sub-c. 8** is enacted to read:

3 **SUBCHAPTER 8**

4 **DISCLOSURE OF FEDERAL INCOME TAX RETURNS BY**
5 **PRESIDENTIAL AND VICE-PRESIDENTIAL CANDIDATES**

6 **§441. Disclosure of federal income tax returns by presidential and vice-presidential**
7 **candidates**

8 **1. Candidate nominated by petition.** For a candidate who has been nominated by
9 petition for the office of President of the United States or for the office of Vice President
10 of the United States pursuant to subchapter 2, in order for the candidate's name to appear
11 on the general election ballot, the candidate shall provide documentation of the previous 3
12 years of that candidate's federal income tax returns by 5 p.m. on August 1st of the
13 presidential election year with the nomination petition filed pursuant to section 354,
14 subsection 8-A.

15 **2. Candidate selected by political party.** For a candidate who has been selected by
16 a political party at convention to be a nominee for the office of President of the United
17 States or for the office of Vice President of the United States pursuant to subchapter 1,
18 Article 3, in order for the candidate's name to appear on the general election ballot, the
19 candidate shall provide documentation of the previous 3 years of that candidate's federal
20 income tax returns by 5 p.m. on the 3rd business day after the day on which the chair and
21 the secretary of the political party's state committee certify to the Secretary of State the
22 names of the party's candidates for presidential elector pursuant to section 322, subsection
23 2.

24 **3. Redaction of certain information; Internet posting.** A candidate or the
25 candidate's staff may redact the candidate's federal income tax returns to remove
26 personally identifying information other than the candidate's name. As used in this
27 subsection, "personally identifying information" includes social security numbers, home
28 addresses, the employer identification numbers and street addresses of any businesses and
29 the preparer tax identification numbers and addresses of any paid tax return preparers.
30 The Secretary of State shall post the income tax returns on the Secretary of State's
31 publicly accessible website.

32 **Sec. 2. Contingent effective date.** The Secretary of State shall monitor
33 legislative activities in other states and shall certify to the Revisor of Statutes when
34 legislation requiring that, in order for a candidate for President or a candidate for Vice
35 President to appear on a general election ballot, the candidate for President or the
36 candidate for Vice President disclose the previous 3 years of that candidate's federal
37 income tax returns has been adopted in a sufficient number of other states so that the
38 combined total of electoral votes held by those states adds up to at least 100 electoral
39 votes when added to Maine's electoral votes. The Secretary of State shall notify the joint

1 standing committee of the Legislature having jurisdiction over elections matters when
2 that certification is made. That section of this Act that enacts the Maine Revised Statutes,
3 Title 21-A, chapter 5, subchapter 8 takes effect 30 days after the date of the Secretary of
4 State's certification.

5

SUMMARY

6 This bill requires that, in order for a candidate for President or a candidate for Vice
7 President to appear on a general election ballot, the candidate for President or the
8 candidate for Vice President must disclose the previous 3 years of that candidate's federal
9 income tax returns, which may be redacted to remove personally identifying information
10 other than the candidate's name. It directs the Secretary of State to post the tax returns on
11 the Secretary of State's website. The legislation takes effect upon enactment of this
12 requirement in other states.