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S.77

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Introduced by Senators Balint, Clarkson, White, Ayer, Bray, and Ingram

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Referred to Committee on

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Date:

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Subject: Elections; presidential primary and general election; federal tax

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returns; disclosure

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Statement of purpose of bill as introduced: This bill proposes to require a

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presidential candidate to file five years' worth of his or her most recent federal

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income tax returns in order to have his or her name printed on the presidential

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primary and general election ballots, and to require the Secretary of State to

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post redacted copies of those returns on his or her official State website.

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An act relating to requiring a presidential candidate to disclose federal tax

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returns in order to be placed on the presidential primary and general election

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ballots

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It is hereby enacted by the General Assembly of the State of Vermont:

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Sec. 1. 17 V.S.A. chapter 57 is amended to read:

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#### CHAPTER 57. PRESIDENTIAL ELECTIONS

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1 § 2702. NOMINATING PETITION; FEDERAL TAX RETURNS;

2 DISCLOSURE

3 (a) The name of any person shall be printed upon the primary ballot as a  
4 candidate for nomination by any major political party if petitions signed by at  
5 least 1,000 voters in accordance with sections 2353, 2354, and 2358 of this  
6 title are filed with the Secretary of State, together with:

7 (1) the written consent of the person to the printing of the person's name  
8 on the ballot; and

9 (2) a copy of the person's federal income tax return, as that term is  
10 defined in 26 U.S.C. § 6103(b)(1), for at least each of the five most recent  
11 taxable years for which the person filed a return with the Internal Revenue  
12 Service, along with a written consent of the person to the disclosure of these  
13 returns as described in subsection (c) of this section.

14 (b)(1) Petitions shall be filed not later than 5:00 p.m. on the first Monday  
15 after the first Tuesday of January preceding the primary election. The petition  
16 shall be in a form prescribed by the Secretary of State.

17 (2) A person's name shall not be listed as a candidate on the primary  
18 ballot of more than one party in the same election.

19 (3) Each petition shall be accompanied by a filing fee of \$2,000.00 to be  
20 paid to the Secretary of State. However, if the petition of a candidate is  
21 accompanied by the affidavit of the candidate, which shall be available for

1 public inspection, stating that the candidate and the candidate's campaign  
2 committee are without sufficient funds to pay the filing fee, the Secretary of  
3 State shall waive all but \$300.00 of the payment of the filing fee by that  
4 candidate.

5 (c) Within 10 days of receiving a federal tax return described in  
6 this section, the Secretary of State shall:

7 (1) in consultation with the Commissioner of Taxes, redact any  
8 information in the tax return deemed necessary to protect the person's  
9 privacy; and

10 (2) post on his or her official State website a copy of each redacted tax  
11 return.

12 (d) A person who fails to file federal tax returns as required by this section  
13 shall not have his or her name printed on the primary ballot or the general  
14 election ballot, except that if the person wins the primary as a write-in  
15 candidate, or in the case of any other presidential candidate, he or she shall  
16 have until 5:00 p.m. on the 30th day following the date of the primary to file  
17 with the Secretary of State this section's required tax returns and  
18 accompanying consent in order to be placed on the general election ballot.

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20 Sec. 2. EFFECTIVE DATE

21 This act shall take effect on passage.