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H.88

Introduced by Representatives Birong of Vergennes, Chase of Colchester,  
Chesnut-Tangerman of Middletown Springs, Christie of  
Hartford, Cina of Burlington, Cordes of Lincoln, Durfee of  
Shaftsbury, Elder of Starksboro, Fegard of Enosburgh,  
Forguites of Springfield, Gonzalez of Winooski, Hashim of  
Dummerston, Hooper of Burlington, Houghton of Essex,  
Killacky of South Burlington, Kitzmiller of Montpelier,  
Kornheiser of Brattleboro, Lanpher of Vergennes, McCarthy of  
St. Albans City, Mrowicki of Putney, Nicoll of Ludlow,  
Sullivan of Burlington, Szott of Barnard, Townsend of South  
Burlington, Troiano of Stannard, Walz of Barre City, White of  
Hartford, Yantachka of Charlotte, and Young of Greensboro

Referred to Committee on

Date:

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

Statement of purpose of bill as introduced: This bill proposes to require a  
presidential candidate to file five years' worth of his or her most recent federal  
income tax returns in order to have his or her name printed on the presidential

1 primary and general election ballots, and to require the Secretary of State to  
2 post redacted copies of those returns on his or her official State website.

3 An act relating to requiring a presidential candidate to disclose federal tax  
4 returns in order to be placed on the presidential primary and general election  
5 ballots

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

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

8 CHAPTER 57. PRESIDENTIAL ELECTIONS

9 \* \* \*

10 § 2702. NOMINATING PETITION

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

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

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

1           (b)(1) Petitions shall be filed not later than 5:00 p.m. on the 15th day of  
2           December preceding the primary election.

3           ~~(e)(2)~~ The petition shall be in a form prescribed by the Secretary of State.

4           ~~(d) A person's name shall not be listed as a candidate on the primary ballot~~  
5           ~~of more than one party in the same election.~~

6           ~~(e)(3)~~ Each petition shall be accompanied by a filing fee of \$2,000.00 to be  
7           paid to the Secretary of State. However, if the petition of a candidate is  
8           accompanied by the affidavit of the candidate, which shall be available for  
9           public inspection, stating that the candidate and the candidate's campaign  
10          committee are without sufficient funds to pay the filing fee, the Secretary of  
11          State shall waive all but \$300.00 of the payment of the filing fee by that  
12          candidate.

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

15          (d) Within 10 days of receiving a federal tax return described in subsection  
16          (a) of this section, the Secretary of State shall:

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

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

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

8   \* \* \*

9       Sec. 2. EFFECTIVE DATE

10       This act shall take effect on passage.