



128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 1422

H.P. 980

House of Representatives, April 11, 2017

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, BATTLE of South Portland, CASÁS of Rockport,
DUCHESNE of Hudson, GATTINE of Westbrook, GRANT of Gardiner, MELARAGNO of
Auburn, 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 5
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 the President of the
17 United States or for the office of the Vice President of the United States pursuant to
18 subchapter 1, Article 3, in order for the candidate's name to appear on the general election
19 ballot, the candidate shall provide documentation of the previous 5 years of that
20 candidate's federal income tax returns by 5 p.m. on the 3rd business day after the day on
21 which the chair and the secretary of the political party's state committee certify to the
22 Secretary of State the names of the party's candidates for presidential elector pursuant to
23 section 322, subsection 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. PL 2015, c. 474, §5** is amended by amending the first indented paragraph
33 to read:

34 The Secretary of State shall include in the report recommendations regarding the
35 administration of presidential primaries, including any implementing legislation. These
36 recommendations must include, but are not limited to, provisions that address the
37 arrangement and content of the ballot, including the order of candidates to be listed on the
38 ballot if a party has multiple candidates; necessary changes to ensure proper and timely
39 administration of absentee ballots for a presidential primary and compliance with the

1 federal Uniformed and Overseas Citizens Absentee Voting Act; and other issues as
2 determined by the Secretary of State to be necessary for proper administration of a
3 presidential primary in the State. The Secretary of State shall include with the report
4 suggested legislation requiring a presidential primary candidate to provide documentation
5 of the previous 5 years of the candidate's federal income tax returns in order for the
6 candidate's name to appear on the general election ballot.

7

SUMMARY

8 This bill requires that, in order for a candidate for President or a candidate for Vice
9 President to appear on a general election ballot, the candidate for President or the
10 candidate for Vice President must disclose the previous 5 years of that candidate's federal
11 income tax returns, which may be redacted to remove personally identifying information
12 other than the candidate's name. It directs the Secretary of State to post the tax returns on
13 the Secretary of State's website and to include in the secretary's report regarding
14 presidential primaries pursuant to Public Law 2015, c. 474, section 5 suggested
15 legislation requiring primary candidates to disclose federal income tax returns.