

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 247 Session of 2017

INTRODUCED BY LEACH, HUGHES AND TARTAGLIONE, JANUARY 27, 2017

REFERRED TO STATE GOVERNMENT, JANUARY 27, 2017

AN ACT

1 Amending the act of June 3, 1937 (P.L.1333, No.320), entitled  
 2 "An act concerning elections, including general, municipal,  
 3 special and primary elections, the nomination of candidates,  
 4 primary and election expenses and election contests; creating  
 5 and defining membership of county boards of elections;  
 6 imposing duties upon the Secretary of the Commonwealth,  
 7 courts, county boards of elections, county commissioners;  
 8 imposing penalties for violation of the act, and codifying,  
 9 revising and consolidating the laws relating thereto; and  
 10 repealing certain acts and parts of acts relating to  
 11 elections," providing for disclosure of Federal income tax  
 12 returns by candidates for President and Vice President of the  
 13 United States.

14 The General Assembly of the Commonwealth of Pennsylvania  
 15 hereby enacts as follows:

16 Section 1. The act of June 3, 1937 (P.L.1333, No.320), known  
 17 as the Pennsylvania Election Code, is amended by adding an  
 18 article to read:

19 ARTICLE XIV-A

20 QUALIFICATIONS OF CANDIDATES

21 Section 1401-A. Disclosure of Federal income tax returns.

22 (a) Mandatory disclosure.--Notwithstanding any other  
 23 provision of this act to the contrary, the name of a candidate  
 24 for the office of President or Vice President of the United

1 States may not be printed on an official ballot in this  
2 Commonwealth for a general election unless the candidate submits  
3 the following to the Secretary of the Commonwealth no later than  
4 50 days before the general election:

5 (1) A complete copy of the candidate's Federal income  
6 tax return, as defined under section 6103(b)(1) of the  
7 Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. §  
8 6103(b)(1)), for at least the five most recent taxable years.

9 (2) A written consent, in the form prescribed by the  
10 Secretary of the Commonwealth, for the public disclosure of  
11 the Federal income tax returns under paragraph (1).

12 (b) Posting.--Subject to subsection (c), if the written  
13 consent under subsection (a)(2) has been submitted, the  
14 Secretary of the Commonwealth shall post the Federal income tax  
15 returns under subsection (a)(1) on the publicly accessible  
16 Internet website of the Department of State no later than seven  
17 days after the Federal income tax returns have been submitted to  
18 the Secretary of the Commonwealth.

19 (c) Redaction.--Prior to the disclosure of a Federal income  
20 tax return under this section and following any necessary  
21 consultation with other governmental authorities, the Secretary  
22 of the Commonwealth shall redact information from the Federal  
23 income tax return as appropriate.

24 (d) Vote of presidential elector.--Notwithstanding any other  
25 law to the contrary, a presidential elector at the quadrennial  
26 meeting under Article XV may not vote for a candidate for the  
27 office of President or Vice President of the United States if  
28 the candidate has failed to comply with the requirements under  
29 this section.

30 (e) Rules and regulations.--The Department of State shall

1 promulgate rules and regulations necessary to implement the  
2 provisions of this section.

3 Section 2. This act shall take effect in 60 days.