

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1020 Session of 2018

INTRODUCED BY WILLIAMS AND RESCHENTHALER, JANUARY 19, 2018

REFERRED TO STATE GOVERNMENT, JANUARY 19, 2018

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 certain candidates.

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

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

18 ARTICLE XIV-A

19 CANDIDATE DISCLOSURE OF FEDERAL INCOME TAX RETURNS

20 Section 1401-A. Mandatory disclosure.

21 Notwithstanding any other provision of this act to the
 22 contrary, the name of a candidate for the General Assembly,
 23 Governor, Lieutenant Governor, Attorney General, Auditor

1 General, Treasurer, Judge of the Commonwealth or Superior Courts
2 or Justice of the Supreme Court of Pennsylvania may not be
3 printed on an official ballot in this Commonwealth for a general
4 election unless the candidate submits the following to the
5 Secretary of the Commonwealth no later than 90 days before the
6 general election:

7 (1) A complete copy of the candidate's Federal income
8 tax return, as defined under section 6103(b) (1) of the
9 Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. §
10 6103(b) (1)), for at least the five most recent taxable years.

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

14 Section 1402-A. Posting.

15 Subject to section 1403-A, if the written consent under
16 section 1401-A(2) has been submitted, the Secretary of the
17 Commonwealth shall post the Federal income tax returns under
18 section 1401-A(1) on the publicly accessible Internet website of
19 the Department of State no later than seven days after the
20 Federal income tax returns have been submitted to the Secretary
21 of the Commonwealth.

22 Section 1403-A. Redaction.

23 Prior to the disclosure of a Federal income tax return under
24 section 1401-A and following any necessary consultation with
25 other governmental authorities, the Secretary of the
26 Commonwealth shall redact information from the Federal income
27 tax returns as appropriate.

28 Section 1404-A. Certification of election results.

29 Notwithstanding any other law to the contrary, the Secretary
30 of the Commonwealth shall not certify the election of a

1 candidate who has failed to comply with the requirements under
2 this article.

3 Section 1405-A. Rules and regulations.

4 The Department of State shall promulgate rules and
5 regulations necessary to implement the provisions of this
6 article.

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