

STATE OF NEW YORK

32--A

2019-2020 Regular Sessions

IN SENATE

(Prefiled)

January 9, 2019

Introduced by Sens. HOYLMAN, ADDABBO, BAILEY, BENJAMIN, BIAGGI, BRESLIN, BROOKS, CARLUCCI, COMRIE, GAUGHRAN, GIANARIS, GOUNARDES, HARCKHAM, JACKSON, KAMINSKY, KENNEDY, KRUEGER, MAYER, METZGER, MONTGOMERY, MYRIE, PARKER, PERSAUD, RAMOS, RIVERA, SALAZAR, SANDERS, SAVINO, SERRANO, STAVISKY, THOMAS -- read twice and ordered printed, and when printed to be committed to the Committee on Elections -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the election law, in relation to requiring the disclosure of tax returns by candidates for president and vice president

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The election law is amended by adding a new section 6-170
2 to read as follows:

3 § 6-170. Disclosure of tax returns by candidates for president and
4 vice president. 1. Notwithstanding any other provision of law to the
5 contrary, the name of a candidate for the office of president or vice
6 president of the United States shall not be printed upon the official
7 ballot for either a primary or general election if such candidate has
8 not complied with the requirements of subdivision two of this section.

9 2. A candidate for the office of president or vice president of the
10 United States shall, within a reasonable timeframe to be established by
11 regulation of the state board of elections:

12 (a) file with the state board of elections a copy of such candidate's
13 federal income tax return, as that term is defined in section 6103(b)(1)
14 of the Internal Revenue Code of 1986, for at least the five most recent
15 taxable years for which such a return has been filed with the internal
16 revenue service; and

17 (b) provide written consent to the commissioners of the state board of
18 elections, in such form as shall be prescribed by the board, for the

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 public disclosure of such returns pursuant to subdivision three of this
2 section.

3 3. Federal income tax returns filed with the state board of elections
4 by a candidate for the office of president or vice president of the
5 United States pursuant to subdivision two of this section shall be made
6 publicly available on the website of the board no later than seven days
7 after such federal income tax returns have been received by the board,
8 subject to such redaction as may be warranted pursuant to subdivision
9 four of this section.

10 4. Prior to making any federal income tax return filed pursuant to
11 subdivision two of this section publicly available, the state board of
12 elections shall redact the social security number, address or telephone
13 number of any individual in such federal income tax return, and shall
14 make any other redactions as the board, in consultation with the commis-
15 sioner of taxation and finance or his or her delegate, deems appropri-
16 ate.

17 § 2. Severability clause. If any clause, sentence, paragraph, subdivi-
18 sion, section or part of this act shall be adjudged by any court of
19 competent jurisdiction to be invalid, such judgment shall not affect,
20 impair, or invalidate the remainder thereof, but shall be confined in
21 its operation to the clause, sentence, paragraph, subdivision, section
22 or part thereof directly involved in the controversy in which such judg-
23 ment shall have been rendered. It is hereby declared to be the intent of
24 the legislature that this act would have been enacted even if such
25 invalid provisions had not been included herein.

26 § 3. This act shall take effect immediately.