

SENATE No. 434

The Commonwealth of Massachusetts

PRESENTED BY:

Michael J. Barrett

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act restoring financial transparency in presidential elections.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | |
|------------------------------|---|------------------|
| <i>Michael J. Barrett</i> | <i>Third Middlesex</i> | |
| <i>Harriette L. Chandler</i> | <i>First Worcester</i> | <i>2/24/2021</i> |
| <i>Elizabeth A. Malia</i> | <i>11th Suffolk</i> | <i>2/24/2021</i> |
| <i>Tami L. Gouveia</i> | <i>14th Middlesex</i> | <i>2/26/2021</i> |
| <i>James B. Eldridge</i> | <i>Middlesex and Worcester</i> | <i>2/26/2021</i> |
| <i>Cindy F. Friedman</i> | <i>Fourth Middlesex</i> | <i>2/26/2021</i> |
| <i>Danillo A. Sena</i> | <i>37th Middlesex</i> | <i>3/8/2021</i> |
| <i>Michael O. Moore</i> | <i>Second Worcester</i> | <i>3/8/2021</i> |
| <i>Adam G. Hinds</i> | <i>Berkshire, Hampshire, Franklin and Hampden</i> | <i>4/20/2021</i> |

SENATE No. 434

By Mr. Barrett, a petition (accompanied by bill, Senate, No. 434) of Michael J. Barrett, Harriette L. Chandler, Elizabeth A. Malia, Tami L. Gouveia and other members of the General Court for legislation to restore financial transparency in presidential elections. Election Laws.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 383 OF 2019-2020.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act restoring financial transparency in presidential elections.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 8 of Chapter 53 of the General Laws, as appearing in the 2018
2 Official Edition, is hereby amended by inserting after the word “filing”, in line 25, the following
3 words:- “, unless the candidate named does not submit tax returns to the state secretary pursuant
4 to section 123 of this chapter”.

5 SECTION 2. Section 70E of Chapter 53 of the General Laws, as so appearing, is hereby
6 amended by adding at the end thereof the following three sentences:-

7 Notwithstanding the other provisions of this section, any candidate or potential candidate
8 for the office of president of the United States whose name is set to appear on the presidential
9 primary ballot pursuant to this section shall, no later than five o’clock post meridian on the

10 thirty-first of December, submit to the state secretary a certified and complete copy of that
11 candidate or potential candidate's federal income tax returns, as defined in section 6103(b)(1) of
12 the United States internal revenue code, for the three most recent available years, as well as
13 written consent to the state secretary for public disclosure of such returns. At least thirty days
14 before the relevant presidential primary, the state secretary shall publish on the state secretary's
15 website all tax returns submitted pursuant to this section. The names of candidates or potential
16 candidates who decline to submit both said income tax returns and a statement of financial
17 interests filed pursuant to section 5 of chapter 268B shall not appear on the presidential primary
18 ballot.

19 SECTION 3. Chapter 53 of the General Laws, as so appearing, is hereby amended by
20 adding the following section:-

21 Section 123. Not later than the second Tuesday in September immediately preceding a
22 general election, a candidate for the office of president or vice president whose electors have
23 been certified pursuant to section 6 or section 8 of this chapter, shall file with the state secretary
24 a copy of his or her federal income tax returns, as defined in section 6103(b)(1) of the United
25 States internal revenue code, for the five most recent available years, as well as written consent
26 to the state secretary for public disclosure of such returns. At least fifty days before the general
27 election, the state secretary shall publish on the state secretary's website any and all income tax
28 returns submitted pursuant to this section. The name of any candidate for president who declines
29 to submit both said income tax returns and a statement of financial interests filed pursuant to
30 Section 5 of Chapter 268B shall not appear on the general election ballot.

31 SECTION 4. Section 5(a) of Chapter 268B of the General Laws, as so appearing, is
32 hereby amended by adding the following 2 sentences:-

33 Every candidate for president or vice president of the United States who is affiliated with
34 a political party shall file a statement of financial interests for the preceding calendar year with
35 the commission at least thirty days before the presidential primary. Every candidate for
36 president or vice president of the United States who is not affiliated with a political party shall
37 file a statement of financial interests for the preceding calendar year with the commission before
38 the last Tuesday in August of the year in which a presidential election is to be held.

39 SECTION 5. The provisions of this act shall be deemed severable. If any part of this act
40 shall be adjudged unconstitutional or invalid, such judgment shall not affect other valid parts
41 thereof.