

SENATE No. 365

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:
Michael J. Barrett	Third Middlesex
Denise Provost	27th Middlesex
Chris Walsh	6th Middlesex
Jason M. Lewis	Fifth Middlesex
Ruth B. Balsler	12th Middlesex
Barbara A. L'Italien	Second Essex and Middlesex
Linda Dean Campbell	15th Essex
Harriette L. Chandler	First Worcester
Jay R. Kaufman	15th Middlesex
Alice Hanlon Peisch	14th Norfolk
Lori A. Ehrlich	8th Essex
Cory Atkins	14th Middlesex
Mark C. Montigny	Second Bristol and Plymouth
James B. Eldridge	Middlesex and Worcester
Sonia Chang-Diaz	Second Suffolk
Patricia D. Jehlen	Second Middlesex
James Arciero	2nd Middlesex
Carmine L. Gentile	13th Middlesex

<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>1/13/2017</i>
<i>Paul R. Heroux</i>	<i>2nd Bristol</i>	<i>2/2/2017</i>
<i>Eileen M. Donoghue</i>	<i>First Middlesex</i>	<i>1/18/2017</i>
<i>Jack Lewis</i>	<i>7th Middlesex</i>	<i>1/20/2017</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>	<i>5/2/2017</i>
<i>Frank I. Smizik</i>	<i>15th Norfolk</i>	<i>1/24/2017</i>
<i>Kenneth I. Gordon</i>	<i>21st Middlesex</i>	<i>1/24/2017</i>
<i>John W. Scibak</i>	<i>2nd Hampshire</i>	<i>1/24/2017</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>1/25/2017</i>
<i>Thomas M. McGee</i>	<i>Third Essex</i>	<i>1/25/2017</i>
<i>John J. Lawn, Jr.</i>	<i>10th Middlesex</i>	<i>1/25/2017</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>	<i>1/30/2017</i>
<i>Edward F. Coppinger</i>	<i>10th Suffolk</i>	<i>1/30/2017</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>	<i>1/30/2017</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>	<i>1/31/2017</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>	<i>1/31/2017</i>
<i>Josh S. Cutler</i>	<i>6th Plymouth</i>	<i>2/1/2017</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>2/1/2017</i>
<i>Harold P. Naughton, Jr.</i>	<i>12th Worcester</i>	<i>2/2/2017</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>	<i>2/2/2017</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>2/2/2017</i>
<i>Stephen Kulik</i>	<i>1st Franklin</i>	<i>2/2/2017</i>
<i>Natalie Higgins</i>	<i>4th Worcester</i>	<i>2/3/2017</i>
<i>Kenneth J. Donnelly</i>	<i>Fourth Middlesex</i>	<i>2/3/2017</i>
<i>Jay D. Livingstone</i>	<i>8th Suffolk</i>	<i>2/3/2017</i>
<i>Jeffrey N. Roy</i>	<i>10th Norfolk</i>	<i>2/3/2017</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>2/3/2017</i>
<i>Cynthia S. Creem</i>	<i>First Middlesex and Norfolk</i>	<i>2/3/2017</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>	<i>2/8/2017</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>	<i>2/3/2017</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	<i>2/3/2017</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	<i>2/3/2017</i>
<i>Gailanne M. Cariddi</i>	<i>1st Berkshire</i>	<i>2/6/2017</i>
<i>Jennifer L. Flanagan</i>	<i>Worcester and Middlesex</i>	<i>2/8/2017</i>
<i>Solomon Goldstein-Rose</i>	<i>3rd Hampshire</i>	<i>3/22/2017</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>	<i>3/31/2017</i>
<i>Peter V. Kocot</i>	<i>1st Hampshire</i>	<i>4/25/2017</i>
<i>Joseph A. Boncore</i>	<i>First Suffolk and Middlesex</i>	<i>5/8/2017</i>
<i>Cindy F. Friedman</i>	<i>Fourth Middlesex</i>	<i>8/9/2017</i>

SENATE No. 365

By Mr. Barrett, a petition (accompanied by bill, Senate, No. 365) of Michael J. Barrett, Denise Provost, Chris Walsh, Jason M. Lewis and other members of the General Court for legislation to restore financial transparency in presidential elections. Election Laws.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

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 2014
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 148 of chapter 54 of the General Laws, as so appearing, is hereby
32 amended by inserting after the second sentence the following sentence:-

33 No presidential elector shall cast a vote for any person who failed to comply with section
34 123 of chapter 53 or section 5 of chapter 268B of the General Laws.

35 SECTION 5. Section 5(a) of chapter 268B of the General Laws, as so appearing, is
36 hereby amended by adding the following sentence:-

37 Every candidate for president or vice president of the United States shall file a statement
38 of financial interests for the preceding calendar year with the commission at least thirty days
39 before the presidential primary.

40 SECTION 6. The provisions of this act shall be deemed severable. If any part of this act
41 shall be adjudged unconstitutional or invalid, such judgment shall not affect other valid parts
42 thereof.