

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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SENATE BILL 617*

Short Title: Tax Returns Uniformly Made Public Act. (Public)

Sponsors: Senators Chaudhuri and Nickel (Primary Sponsors).

Referred to: Rules and Operations of the Senate

April 4, 2019

A BILL TO BE ENTITLED

1 AN ACT REQUIRING A CANDIDATE FOR PRESIDENT OR VICE PRESIDENT OF THE
2 UNITED STATES TO FILE THE CANDIDATE'S FEDERAL INCOME TAX RETURN
3 BEFORE THE CANDIDATE'S NAME APPEARS ON THE GENERAL ELECTION
4 BALLOT.
5

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 163A-1112(a)(3) reads as rewritten:

8 "(a) Except as provided in this section, each official ballot shall contain all the following
9 elements:

10 ...

11 (3) The names of the candidates as they appear on their notice of candidacy filed
12 pursuant to G.S. 163A-972, 163A-973, 163A-974, 163A-975, 163A-976,
13 163A-977, and 163A-978, or on petition forms filed in accordance with
14 G.S. 163A-1005. No title, appendage, or appellation indicating rank, status,
15 or position shall be printed on the official ballot in connection with the
16 candidate's name. Candidates, however, may use the title Mr., Mrs., Miss, or
17 Ms. Nicknames shall be permitted on an official ballot if used in the notice of
18 candidacy or qualifying petition, but the nickname shall appear according to
19 standards adopted by the State Board. Those standards shall allow the
20 presentation of legitimate nicknames in ways that do not mislead the voter or
21 unduly advertise the candidacy. In the case of candidates for presidential
22 elector, the official ballot shall not contain the names of the candidates for
23 elector but instead shall contain the nominees for President and Vice President
24 who have complied with the requirements under G.S. 163A-1226(a1), which
25 the candidates for elector represent. The State Board shall establish a review
26 procedure that local boards of elections shall follow to ensure that candidates'
27 names appear on the official ballot in accordance with this subdivision.

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29 **SECTION 2.** G.S. 163A-1226 reads as rewritten:

30 **"§ 163A-1226. Names of presidential electors not printed on ballots; notification.**

31 (a) The names of candidates for electors of President and Vice-President nominated by
32 any political party recognized in this State under G.S. 163A-950, or nominated under
33 G.S. 163A-700(c) by a candidate for President of the United States who has qualified to have his
34 or her name printed on the general election ballot as an unaffiliated candidate under
35 G.S. 163A-1005, shall be filed with the Secretary of State but shall not be printed on the ballot.
36 In the case of the unaffiliated candidate, the names of candidates for electors must be filed with



1 the Secretary of State no later than 12:00 noon on the first Friday in August. ~~In~~ Except as provided
2 in subsection (a1) of this section, in place of their names, there shall be printed on the ballot the
3 names of the candidates for President and Vice-President of each political party recognized in
4 this State, and the name of any candidate for President who has qualified to have his or her name
5 printed on the general election ballot under G.S. 163A-1005. A candidate for President who has
6 qualified for the general election ballot as an unaffiliated candidate under G.S. 163A-1005 shall,
7 no later than 12:00 noon on the first Friday in August, file with the State Board the name of a
8 candidate for Vice-President, whose name shall also be printed on the ballot. A vote for the
9 candidates named on the ballot shall be a vote for the electors of the party or unaffiliated
10 candidate by which those candidates were nominated and whose names have been filed with the
11 Secretary of State.

12 (a1) The name of a candidate for President or Vice-President shall appear on the general
13 election ballot only if no later than 70 days before the date of the general election the candidate
14 has filed with the State Board a copy of the candidate's federal income tax returns for the five
15 years preceding the year of the general election and provided written consent, in a form
16 prescribed by the State Board, for the public disclosure of the candidate's federal income tax
17 returns required by this subsection. The State Board shall make the federal income tax returns
18 submitted under this subsection publicly available on the State Board's Web site within seven
19 days after the income tax returns have been filed. However, before making the income tax returns
20 publicly available, the State Board, in consultation with the Secretary of the Department of
21 Revenue, or the Secretary's designee, shall redact any personal information or other information
22 the Secretary or the Secretary's designee determines shall be kept confidential by law. If a
23 candidate for the office of President or Vice-President does not timely file with the State Board
24 the federal income tax returns and written consent required by this subsection, the name of the
25 candidate shall not be printed on the official general election ballot.

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27 **SECTION 3.** This act is effective when it becomes law and applies to elections held
28 on or after that date.