
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2623 Session of
2018

INTRODUCED BY CONKLIN, A. DAVIS, HILL-EVANS, J. McNEILL,
NEILSON, PASHINSKI, SCHLOSSBERG, SIMS AND TAI,
SEPTEMBER 10, 2018

REFERRED TO COMMITTEE ON STATE GOVERNMENT, SEPTEMBER 10, 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 candidate disclosure of Federal
12 income tax returns.

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 read:

18 ARTICLE XIV-A

19 CANDIDATE DISCLOSURE OF FEDERAL INCOME TAX RETURNS

20 Section 1401-A. Mandatory disclosure by certain candidates.

21 Notwithstanding any other provision of this act to the

22 contrary, the name of a candidate for President or Vice

1 President of the United States, United States Senator,
2 Representative in Congress, Governor, Lieutenant Governor,
3 Attorney General, Auditor General, Treasurer, Senator or
4 Representative in the General Assembly, Justice of the Supreme
5 Court of Pennsylvania or Judge of the Commonwealth Court or
6 Superior Court may not be printed on an official ballot in this
7 Commonwealth for a general election unless the candidate submits
8 the following to the Secretary of the Commonwealth no later than
9 90 days before the general election:

10 (1) A complete copy of the candidate's Federal income
11 tax return, as defined under section 6103(b)(1) of the
12 Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. §
13 6103(b)(1)), for at least the five most recent taxable years.

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

17 Section 1402-A. Posting.

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

25 Section 1403-A. Redaction.

26 Prior to the disclosure of a Federal income tax return under
27 section 1402-A and following any necessary consultation with
28 other governmental authorities, the Secretary of the
29 Commonwealth shall redact information from the Federal income
30 tax return as appropriate.

1 Section 1404-A. Certification of State election results.

2 Notwithstanding any other law to the contrary, the Secretary
3 of the Commonwealth shall not certify the election of a
4 candidate for Governor, Lieutenant Governor, Attorney General,
5 Auditor General, Treasurer, Senator or Representative in the
6 General Assembly, Justice of the Supreme Court of Pennsylvania
7 or Judge of the Commonwealth Court or Superior Court who has
8 failed to comply with the requirements under this article.

9 Section 1405-A. Vote of presidential elector.

10 Notwithstanding any other law to the contrary, a presidential
11 elector at the quadrennial meeting under Article XV may not vote
12 for a candidate for the office of President or Vice President of
13 the United States if the candidate has failed to comply with the
14 requirements under this article.

15 Section 1406-A. Rules and regulations.

16 The Department of State shall promulgate rules and
17 regulations necessary to implement the provisions of this
18 article.

19 Section 2. This act shall take effect immediately.