

By: Representative Banks

To: Apportionment and
Elections; Constitution

HOUSE BILL NO. 662

1 AN ACT TO CREATE THE TAX RETURNS UNIFORMLY MADE PUBLIC ACT;
 2 TO REQUIRE ANY CANDIDATE FOR PRESIDENT OR VICE PRESIDENT OF THE
 3 UNITED STATES OF AMERICA TO FILE A COPY OF THE CANDIDATE'S FEDERAL
 4 INCOME TAX RETURNS WITH THE STATE BOARD OF ELECTION COMMISSIONERS
 5 FIFTY DAYS BEFORE THE GENERAL ELECTION BALLOT IS PRINTED; TO
 6 PROVIDE THAT IF A CANDIDATE FOR PRESIDENT OR VICE PRESIDENT DOES
 7 NOT FILE HIS OR HER FEDERAL INCOME TAX RETURNS WITH THE STATE
 8 BOARD OF ELECTION COMMISSIONERS, HIS OR HER NAME WILL NOT BE
 9 PRINTED UPON THE GENERAL ELECTION BALLOT; TO AMEND SECTION
 10 23-15-1093, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS
 11 OF THIS ACT; AND FOR RELATED PURPOSES.

12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

13 **SECTION 1.** (1) This act shall be known and may be cited as
 14 the "Tax Returns Uniformly Made Public Act."

15 (2) The names of candidates for President and Vice President
 16 of the United States of America shall not be printed upon the
 17 ballot unless, no later than fifty (50) days before the general
 18 election ballot is printed, each candidate files with the State
 19 Board of Election Commissioners a copy of the candidate's federal
 20 income tax returns, as that term is defined in Section 6103(b)(1)
 21 of the Internal Revenue Code (26 U.S.C. s.6103), for at least the



22 five (5) most recent taxable years for which the candidate has
23 filed such a return with the Internal Revenue Service.

24 (3) Each candidate for President or Vice President of the
25 United States of America shall provide written consent to the
26 State Board of Election Commissioners, in such form as the board
27 shall prescribe, for the public disclosure of the income tax
28 returns. The State Board of Election Commissioners shall post
29 income tax returns filed with the board under this section on the
30 Secretary of State's website no later than seven (7) days after
31 the candidate has filed the income tax returns with the board.

32 (4) Before making public any income tax return filed under
33 this section, the State Board of Election Commissioners shall
34 redact any confidential information that the board deems
35 necessary.

36 **SECTION 2.** Section 23-15-1093, Mississippi Code of 1972, is
37 amended as follows:

38 23-15-1093. (1) Any person desiring to have his or her name
39 placed on the presidential preference primary ballot shall pay a
40 qualifying fee, submit his or her federal income tax returns as
41 provided in Section 1 of this act, and file the petition or
42 petitions as described in this section.

43 (2) The amount of the qualifying fee shall be Two Thousand
44 Five Hundred Dollars (\$2,500.00). Each independent candidate
45 shall pay the qualifying fee to the Secretary of State. Each



46 political party candidate shall pay the qualifying fee to the
47 state executive committee of the appropriate political party.

48 (3) A candidate shall file a petition or petitions in
49 support of his or her candidacy with the state executive committee
50 of the appropriate political party or the Secretary of State,
51 whichever is applicable, after January 1 of the year in which the
52 presidential preference primary is to be held and before January
53 15 of that same year. To comply with this section, a candidate
54 may file a petition or petitions signed by a total of not less
55 than five hundred (500) qualified electors of the state, or
56 petitions signed by not less than one hundred (100) qualified
57 electors of each congressional district of the state, in which
58 case there shall be a separate petition for each congressional
59 district. The petitions shall be in such form as prescribed by
60 the state executive committee or Secretary of State, whichever is
61 applicable; provided, that there shall be a space for the county
62 of residence of each signer next to the space provided for his or
63 her signature. No signature may be counted as valid unless the
64 county of residence of the signer is provided. Each petition
65 shall contain an affirmation under the penalties of perjury that
66 each signer is a qualified elector in his or her congressional
67 district or in the state, as appropriate.

68 **SECTION 3.** This act shall take effect and be in force from
69 and after July 1, 2018.

