

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H.B. 595
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40271-LUa-125A

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

Sponsors: Representatives Dahle, Harrison, Fisher, and Morey (Primary Sponsors).

Referred to:

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

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 50 days before the date of the general election, the candidate
14 has filed with the State Board of Elections a copy of the candidate's federal income tax returns
15 for the 10 years preceding the year of the general election and provided written consent, in a form
16 prescribed by the State Board of Elections, for the public disclosure of the candidate's federal
17 income tax returns required by this subsection. The State Board of Elections shall make the
18 federal income tax returns submitted under this subsection publicly available on the State Board
19 of Elections Web site within seven days after the income tax returns have been filed. However,
20 before making the income tax returns publicly available, the State Board of Elections, in
21 consultation with the Secretary of the Department of Revenue, or the Secretary's designee, shall
22 redact any personal information or other information the Secretary or the Secretary's designee
23 determines shall be kept confidential by law. If a candidate for the office of President or
24 Vice-President does not timely file with the State Board of Elections the federal income tax
25 returns and written consent required by this subsection, the name of the candidate shall not be
26 printed on the official general election ballot.

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28 **SECTION 3.** There is appropriated from the General Fund to the State Board of
29 Elections the sum of one hundred thousand dollars (\$100,000) for the 2019-2020 fiscal year and
30 the sum of one hundred thousand dollars (\$100,000) for the 2020-2021 fiscal year to develop and
31 maintain the information required under this act.

32 **SECTION 4.** Section 3 of this act becomes effective July 1, 2019. The remainder of
33 this act is effective when it becomes law and applies to elections held on or after that date.