

# HOUSE BILL No. 4365

March 15, 2017, Introduced by Reps. Guerra, Green, Pagan, Lasinski, Chirkun, Sabo, Wittenberg, Liberati, Neeley, Byrd, Moss, Rabhi, Cochran, Ellison, Hoadley, Faris, Chang, Sneller and Peterson and referred to the Committee on Elections and Ethics.

A bill to amend 1954 PA 116, entitled  
"Michigan election law,"  
(MCL 168.1 to 168.992) by adding section 686c.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1        SEC. 686C. (1) NOT LATER THAN 60 DAYS BEFORE A GENERAL  
2        NOVEMBER ELECTION IN THE YEAR IN WHICH ELECTIONS FOR THE OFFICES  
3        ARE HELD, A CANDIDATE FOR PRESIDENT OR VICE PRESIDENT OF THE UNITED  
4        STATES, OTHER THAN A WRITE-IN CANDIDATE WHO FILES A DECLARATION OF  
5        INTENT TO BE A WRITE-IN CANDIDATE AS PROVIDED IN SECTION 737A,  
6        SHALL DO ALL OF THE FOLLOWING:

7        (A) FILE WITH THE SECRETARY OF STATE A COPY OF HIS OR HER  
8        FEDERAL INCOME TAX RETURN, AS THAT TERM IS DEFINED IN SECTION  
9        6103(B) (1) OF THE INTERNAL REVENUE CODE OF 1986, 26 USC 6103(B) (1),

1 FOR AT LEAST THE 5 MOST RECENT TAXABLE YEARS FOR WHICH A RETURN HAS  
2 BEEN FILED WITH THE INTERNAL REVENUE SERVICE.

3 (B) FILE WITH THE SECRETARY OF STATE A COPY OF HIS OR HER  
4 STATE INCOME TAX RETURN FOR AT LEAST THE 5 MOST RECENT TAXABLE  
5 YEARS FOR WHICH A RETURN HAS BEEN FILED.

6 (C) PROVIDE WRITTEN CONSENT TO THE SECRETARY OF STATE, ON A  
7 FORM PRESCRIBED BY THE SECRETARY OF STATE, FOR THE PUBLIC  
8 DISCLOSURE OF THE RETURNS AS PROVIDED IN SUBSECTION (2).

9 (2) SUBJECT TO SUBSECTION (3), NOT LATER THAN 30 DAYS BEFORE  
10 THE GENERAL NOVEMBER ELECTION, THE SECRETARY OF STATE SHALL MAKE  
11 THE RETURNS PUBLICLY AVAILABLE ON AN INTERNET WEBSITE MAINTAINED BY  
12 THE DEPARTMENT OF STATE.

13 (3) BEFORE MAKING ANY FEDERAL INCOME TAX RETURN OR STATE  
14 INCOME TAX RETURN FILED WITH THE SECRETARY OF STATE UNDER  
15 SUBSECTION (1) PUBLICLY AVAILABLE, THE SECRETARY OF STATE SHALL  
16 REDACT ANY INFORMATION THE SECRETARY OF STATE, IN CONSULTATION WITH  
17 THE DEPARTMENT OF TREASURY, CONSIDERS APPROPRIATE.

18 (4) NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, IF A  
19 CANDIDATE FOR THE OFFICE OF PRESIDENT OR VICE PRESIDENT OF THE  
20 UNITED STATES DOES NOT TIMELY FILE HIS OR HER FEDERAL INCOME TAX  
21 RETURNS, STATE INCOME TAX RETURNS, AND WRITTEN CONSENT WITH THE  
22 SECRETARY OF STATE AS PROVIDED IN SUBSECTION (1), THE SECRETARY OF  
23 STATE SHALL NOT INCLUDE THE NAME OF THAT CANDIDATE ON THE OFFICIAL  
24 BALLOT FOR THE GENERAL NOVEMBER ELECTION.

25 Enacting section 1. This amendatory act takes effect 90 days  
26 after the date it is enacted into law.