

GENERAL ASSEMBLY OF NORTH CAROLINA
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SENATE BILL DRS15110-LU-58 (02/23)

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

Sponsors: Senator Chaudhuri (Primary Sponsor).

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.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 163-165.5(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. 163-106 or G.S. 163-323, or on petition forms filed in
13 accordance with G.S. 163-122. No title, appendage, or appellation indicating
14 rank, status, or position shall be printed on the official ballot in connection
15 with the candidate's name. Candidates, however, may use the title Mr., Mrs.,
16 Miss, or Ms. Nicknames shall be permitted on an official ballot if used in the
17 notice of candidacy or qualifying petition, but the nickname shall appear
18 according to standards adopted by the State Board of Elections. Those
19 standards shall allow the presentation of legitimate nicknames in ways that
20 do not mislead the voter or unduly advertise the candidacy. In the case of
21 candidates for presidential elector, the official ballot shall not contain the
22 names of the candidates for elector but instead shall contain the nominees for
23 President and Vice President who have complied with the requirements
24 under G.S. 163-209(a1), which the candidates for elector represent. The
25 State Board of Elections shall establish a review procedure that local boards
26 of elections shall follow to ensure that candidates' names appear on the
27 official ballot in accordance with this subdivision.

28"

29 **SECTION 2.** G.S. 163-209 reads as rewritten:

30 **"§ 163-209. 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. 163-96, or nominated under
33 G.S. 163-1(c) by a candidate for President of the United States who has qualified to have his or
34 her name printed on the general election ballot as an unaffiliated candidate under G.S. 163-122,
35 shall be filed with the Secretary of State but shall not be printed on the ballot. In the case of the
36 unaffiliated candidate, the names of candidates for electors must be filed with the Secretary of



1 State no later than 12:00 noon on the first Friday in August. ~~It~~ Except as provided in subsection
2 (a1) of this section, in place of their names, there shall be printed on the ballot the names of the
3 candidates for President and Vice-President of each political party recognized in this State, and
4 the name of any candidate for President who has qualified to have his or her name printed on
5 the general election ballot under G.S. 163-122. A candidate for President who has qualified for
6 the general election ballot as an unaffiliated candidate under G.S. 163-122 shall, no later than
7 12:00 noon on the first Friday in August, file with the State Board of Elections 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
11 the 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 of Elections a copy of the candidate's federal income tax returns
15 for the five years preceding the year of the general election and provided written consent, in a
16 form prescribed by the State Board of Elections, for the public disclosure of the candidate's
17 federal income tax returns required by this subsection. The State Board of Elections shall make
18 the federal income tax returns submitted under this subsection publically available on the State
19 Board of Elections Web site within seven days after the income tax returns have been filed.
20 However, before making the income tax returns publically available, the State Board of
21 Elections, in consultation with the Secretary of the Department of Revenue, or the Secretary's
22 designee, shall redact any personal information or other information the Secretary or the
23 Secretary's designee determines shall be kept confidential by law. If a candidate for the office
24 of President or Vice President does not timely file with the State Board of Elections the federal
25 income tax returns and written consent required by this subsection, the name of the candidate
26 shall not be printed on the official general election ballot.

27 (b) Upon receiving the filing of a name as a candidate for elector under this section, the
28 Secretary of State shall notify that candidate of the dual-office holding requirements of the
29 North Carolina Constitution and the General Statutes, including specifically that if a person
30 elected as elector holds another elective office at the time of taking the oath of office as elector,
31 that other office is vacated upon taking the oath of office."

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