
A BILL FOR AN ACT

RELATING TO ELECTIONS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that full financial
2 disclosure by candidates for President and Vice President of the
3 United States is essential to ensure transparency, avoid
4 conflicts of interest, and prevent unethical decision making
5 within a presidential administration. Without full public
6 disclosure of a candidate's past income, business relations, and
7 indebtedness, both monetary and otherwise, a citizen cannot cast
8 an informed vote or be assured that decisions made by a
9 President will be in the interests of the people, and not in the
10 interest of the President's own financial gain.

11 The office of President of the United States carries the
12 highest responsibility, and its occupants must be held to the
13 highest standard of transparency and accountability. The
14 legislature finds that to ensure transparency a presidential
15 candidate once demanded that the State of Hawaii produce a birth
16 certificate. The State of Hawaii will now require presidential
17 candidates to produce their tax returns.



1 The purpose of this Act is to promote electoral
2 transparency and accountability by requiring that candidates for
3 President or Vice President of the United States disclose their
4 tax returns from the five most recent years.

5 SECTION 2. Chapter 11, Hawaii Revised Statutes, is amended
6 by adding a new section to part I to be appropriately designated
7 and to read as follows:

8 "§11- Tax returns disclosure; United States President
9 and Vice President. (a) No later than fifty days before a
10 general election, each candidate for the office of President or
11 Vice President of the United States, shall:

12 (1) Submit to the office of elections a copy of the
13 federal income tax return, as that term is defined in
14 section 6103(b)(1) of the Internal Revenue Code of
15 1986, as amended, of the candidate for the five most
16 recent taxable years that a return has been filed with
17 the Internal Revenue Service; and

18 (2) Provide written consent to the office of elections for
19 the public disclosure of the federal income tax
20 returns.



1 (b) Income tax returns submitted to the office of
2 elections shall be made publicly available on the website of the
3 office of elections no later than seven days after submission.

4 (c) Prior to placing any income tax return on the website
5 of the office of elections, the chief election officer shall
6 redact information that the director of taxation deems
7 appropriate.

8 (d) Notwithstanding any law to the contrary, if a
9 candidate for the office of President or Vice President fails to
10 comply with subsection (a), the name of the candidate shall not
11 be printed upon the official ballot for the general election."

12 SECTION 3. Section 14-28, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "~~§14-28 Convening and voting for [president]~~ President and
15 [vice president,] Vice President; party vote. (a) The
16 electors, when convened, if both candidates are alive, shall
17 vote by ballot for that person for [president] President and
18 that person for [vice president] Vice President of the United
19 States, who are, respectively, the candidates of the political
20 party or group ~~which~~ that they represent, one of whom, at
21 least, is not an inhabitant of this State.



1 (b) Notwithstanding any other provision of law to the
2 contrary, the electors, when convened, shall not vote for any
3 person for President or Vice President unless each of the
4 candidates has, at least fifty days prior to the general
5 election, publicly released their federal income tax returns for
6 the five most recent taxable years preceding the general
7 election by submitting the income tax returns to the office of
8 elections or posting the income tax returns at no charge for
9 public viewing on the Internet."

10 SECTION 4. If any provision of this Act, or the
11 application thereof to any person or circumstance, is held
12 invalid, the invalidity does not affect other provisions or
13 applications of the Act that can be given effect without the
14 invalid provision or application, and to this end the provisions
15 of this Act are severable.

16 SECTION 5. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.

18 SECTION 6. This Act shall take effect on July 1, 2050.



Report Title:

Elections; General Election; President; Vice President; Federal
Income Tax Return

Description:

Requires candidates for President and Vice President of the
United States to disclose their federal income tax returns in
order for their names to appear on a Hawaii ballot. (HB1581
HD1)

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not legislation or evidence of legislative intent.*

