

Massachusetts bill S.365:

Restoring Presidential Tax
Transparency, One State at a Time

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About S.365

- “An Act restoring financial transparency in presidential elections”
 - Introduced by Senator Mike Barrett (D-Lexington)
 - <https://malegislature.gov/Bills/190/S365>
- Requires release of tax returns to get onto the presidential ballot
 - 3 years for primary ballot, 5 years for general election
- Codifies into law what had been the norm for 50 years

Why?

- Existing financial disclosure requirements are not enough
- “Tax filings have an enormous amount of additional information on sources of income, including overseas income.
- “Trump’s 12,000-page tax return may tell us a great deal about his Russian and other foreign business ties that is not on his 104-page campaign financial disclosure.”
 - Two former WH ethics lawyers (Bush, Obama) in Politico
 - <http://www.politico.com/magazine/story/2016/10/donald-trump-taxes-russia-214405>

Is it Constitutional?

- Probably.
- Constitutional scholar and Harvard Law professor Laurence Tribe [told Boston.com](#) “Senator Barrett’s tax-return-release bill is just the kind of effort through which the Commonwealth of Massachusetts can set an example of good government for the rest of the nation to follow,”
- And [said](#) of a [similar proposal in New York](#) that **“the bill should withstand constitutional scrutiny.”**
 - <https://www.boston.com/news/politics/2016/12/15/this-massachusetts-bill-could-block-donald-trump-from-the-ballot-in-2020>
 - http://www.nytimes.com/2016/12/12/opinion/an-antidote-to-donald-trumps-secrecy-on-taxes.html?_r=0

Other States? Bipartisan? Federal?

- At least 8 other states are considering similar laws
 - HI, CA, NM, VA, MD, NJ, NY, ME
 - We don't know how many, if any, will be successful in enacting their laws
- No Republican co-sponsors in MA yet
 - Not a predictor of eventual vote
- Federal bill introduced, little hope for passage
 - But Lindsey Graham supports the idea!

Can it be Effective?

- Yes. With the bill in place, refusing to release your returns:
 - concedes Electoral votes
 - indicates you have something to hide
 - greatly amplifies the political cost (more than norm-breaking without a law)
- Standing up for our values, even alone, is the obligation of anyone concerned about the future of our democracy.

S.365 Status and Actions

- Has 54 co-sponsors (1/4 of legislature)
- Assigned to Election Laws Committee
- Raise awareness
 - Need letter writers ready for local and regional papers
- Lobby legislators
 - Boston and Metrowest in good shape; need other areas
- Testify at Committee Hearing
 - Not yet scheduled; may be short notice

Commonwealth Conversations

- An extraordinary opportunity in the next month
- Multiple state senators convene around the state to hear what's on the mind of citizens. You don't need to be from the host district to speak.
- Tuesday evenings
 - March 7: 6:45pm - 8:30pm: Town Hall Forum at Dr. W Arnone Community School 135 Belmont St # 1, **Brockton**
 - March 14: 6:30PM-8:30PM: Town Hall Forum at Seven Hills Foundation 81 Hope Avenue, **Worcester**
 - Mar 21: Northeast, TBA
 - Mar 28: Western Mass, TBA
 - Apr 4: MetroWest, TBA
 - Apr 11: North Shore, TBA

Sign up for Updates

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