



Written by [James Murphy](#) on July 31, 2019

California Governor Attempts to Strong Arm Release of Trump's Tax Returns

On Tuesday, leftist California Governor Gavin Newsom signed [legislation](#) that would require any candidate running for the United States presidency to release his or her five most recent tax returns to be included on the ballot in the state. The law is a direct challenge to current president Donald Trump, who has been reticent to release his own tax records.



According to the text of SB 27, "This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect."

If allowed to stand, the law would effectively remove President Trump from California's ballot in the 2020 primary or general election unless he releases his last five years of tax returns.

It's difficult to see how anything about this new law represents any "urgency" or how it might preserve the "public peace, health, or safety." Needless to say, court challenges are expected.

Newsom's signing of the legislation represents a break with former governor Jerry "Moonbeam" Brown, who vetoed similar legislation in 2017.

In his [signing statement](#), Newsom wrote, "These are extraordinary times and states have a legal and moral duty to do everything in their power to ensure leaders seeking the highest offices meet minimal standards, and to restore public confidence. The disclosure required by this bill will shed light on conflicts of interest, self-dealing or influence from domestic and foreign business interests."

The bill, known as the "Presidential Tax Transparency and Accountability Act," [passed overwhelmingly](#) in the Democrat-led State Senate and the State Assembly.

"This law should be a national standard," Newsom wrote.

Unfortunately, for Newsom and the California Democrats, there's that troublesome U.S. Constitution that they must deal with. The new California law is of dubious constitutionality, at best.

"The Constitution is clear on the qualifications for someone to serve as president and states cannot add additional requirements of their own," said Trump campaign official Tim Murtaugh. "What's next, five years of health records?"

Murtaugh also claims that the California law violates the First Amendment's right of association, since states cannot tell political parties which candidates their members can or cannot vote for.

Presidential counsel Jay Sekulow promised, "The State of California's attempt to circumvent the Constitution will be answered in court."



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Trump has bucked precedent going back decades of presidential candidates releasing their tax records as a show of transparency. For instance, the major Democrat candidates for 2020 have already released their tax records. But nowhere have those releases been codified, except for now in California.

The first president whose tax records became public was Richard Nixon. In 1973, Nixon released his returns going back to when he took office in 1969, prompting the famous quote, “People have got to know whether or not their president is a crook. Well, I am not a crook,” Nixon said.

Since then, Gerald Ford and Donald Trump stand alone as the only presidents or major party candidates who have not released their income tax records.

The president is [currently fighting efforts](#) by the House Ways and Means Committee and the State of New York to obtain his private tax records for their ongoing “investigations.”

The president’s state tax records are also wanted for scrutiny. New York Governor Andrew Cuomo even signed a bill known as the [TRUST Act](#), which now allows the United States Congress the ability to access New York state tax records under certain conditions.

Article II, Section 1, Clause 5 of the U.S. Constitution spells out the requirements that a person must meet in order to be selected as the President of the United States.

“No person except a natural born citizen, or a Citizen of the United States at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty-five years, and been fourteen Years a Resident within the United States.”

There’s nothing in there about releasing tax records or “transparency.” Maybe that’s because the Founding Fathers could not fathom that such a punitive, confiscatory, and intrusive method of taxation would ever exist in their new country. Certainly, they expected to levy taxes now and again, but not to the extent that currently exists.

The IRS is no friend of the president — or anyone else for that matter. Trump’s tax returns are currently under an IRS audit. If there’s something wrong with them, the IRS will deal with it. The president is under no obligation to show a bunch of amateur accountants in Congress, the news media, or the State of California anything.

Photo: AP Images

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