

Judicial Watch Court Victory: Ruling Strikes Down California's Attempt to Require Candidates

Published: Monday, 07 October 2019 08:27

by Judicial Watch

Views: 1147

(Washington, DC) – Judicial Watch announced today that a federal judge had enjoined a California law requiring presidential candidates to publicly disclose their tax returns. The injunction had been requested by Judicial Watch, President Trump, and other challengers to the law.

California's Presidential Tax Transparency and Accountability Act ("SB 27") requires presidential candidates to disclose their tax returns for the past five years for public posting on the internet. Candidates who refuse to do so are barred from having their names printed on California's March 2020 primary ballot.

Judicial Watch's [lawsuit](#) challenged the law on behalf of four California voters, including two Republicans, a Democrat, and an Independent. The lawsuit alleged that SB 27 imposes candidate qualifications beyond those allowed by the U.S. Constitution's Presidential Qualifications

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Published Monday, October 26, 2019 11:47 AM
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Hits: 1147

Clause and that it violates voters' First and Fourteenth Amendment rights to associate with like-minded voters and to express their preferences by means of their votes ([Jerry Griffin et al. v. Alex Padilla](#) (No. 2:19-cv-01477)). President Trump, the Republican National Committee, and other candidates and private litigants also filed legal challenges.

In his [decision](#), Judge Morrison C. England of the U.S. District Court for the Eastern District of California observed that “there has never been a legal requirement that any candidate for federal office disclose their tax returns.” While he noted that SB 27 “was primarily intended to force President Trump to disclose his tax returns,” Judge England agreed with Judicial Watch that the law particularly harmed California voters by diminishing their ability “to cast an effective vote” and to select the “presidential candidate of their choice.”

Judge England ruled that Judicial Watch was likely to succeed on every one of its claims. He stated that California’s scheme “tramples the Framers’ vision of having uniform standards” for candidate qualifications. He also found that the public had an “extraordinary” interest in “ensuring that individual voters may associate for the advancement of political beliefs and cast a vote for their preferred candidate for President.” And he agreed with President Trump that SB 27 was preempted by the federal Ethics in Government Act.

As Judge England noted, nonpartisan counsel for the California legislature had issued a written opinion stating that a prior version of SB 27 was unconstitutional. Then-Governor Jerry Brown had vetoed that prior version, also citing constitutional concerns.

“Leftist California politicians, in their zeal to attack President Trump, passed a law that also unconstitutionally victimizes California voters and the U.S. Constitution,” said Judicial Watch President Tom Fitton. “The court found this anti-Trump scheme to game the 2020 elections to be obviously unconstitutional. Outrageously, California’s political leadership will continue to abuse and waste taxpayer money by trying to appeal this sensible decision. They should give up and stop trying to prevent voters from being able to vote for the presidential candidate of their choice next year.”

Senior Attorney Russ Nobile presented arguments on behalf of Judicial Watch.