



NEW YORK STATE SENATOR

Andrea Stewart-Cousins

New York State Senate Democratic Majority Stands Up To President Trump

ANDREA STEWART-COUSINS May 8, 2019

| ISSUE: **TAX RETURNS**

Albany, NY -The Senate Democratic Majority passed legislation today that will have a major impact, nationally and in New York State, by holding the President Donald Trump accountable. The bills passed by the Senate allow New York State to release any state tax returns requested by Congress and authorize state authorities to prosecute someone even if they receive a Presidential reprieve, pardon or other forms of clemency.

"This President and his administration have repeatedly shown a true hostility to the rule of law and Presidential customs," Senate Majority Leader Andrea Stewart-Cousins said. "No person is above the law and New Yorkers, as well as all Americans, deserve transparency from their elected officials at every level of government. I commend Senators Hoylman and Kaminsky for their leadership on these important bills."

The legislation advanced by the Senate Majority includes:

Trump Taxes: This bill, [S.5072-A](#), sponsored by Senator Brad Hoylman, will allow New York State officials to release state tax returns in cooperation with Congressional investigations by authorizing the Commissioner of the Department of Taxation and Finance to furnish state tax returns upon written request of the chairperson of the U.S. House Ways & Means

Committee, the U.S. Senate Finance Committee, or the Joint Committee on Taxation.

Double Jeopardy: This bill, [S.4572](#), sponsored by Senator Todd Kaminsky, will allow New York state prosecutors to bring charges against people who have received presidential pardons, or other forms of clemency, in certain circumstances. This bill only applies in situations where the President had a conflict of interest in the case; for example, where the person pardoned is related to the President, or had previously worked for the President.

Bill Sponsor, Senator Brad Hoylman, said, “Today, the New York State Senate voted to do its part to assist Congress in fulfilling its oversight responsibilities by passing the TRUST Act, allowing the State Tax Department to cooperate with congressional committees requesting New York State tax returns. I am grateful to Senate Majority Leader Andrea Stewart-Cousins, Senate Revenue and Budget Chair Brian Benjamin, my colleagues in the Senate, and to my partner in the Assembly, David Buchwald. We must ensure that Congress can’t be blocked in their attempts to hold even the highest elected officials in the land accountable to the American people.”

Bill Sponsor, Senator Todd Kaminsky, said, “Special Counsel Robert Mueller’s report provided disturbing, new evidence of the President’s plan to improperly use the pardon power to help his associates and undermine the rule of law. As former federal corruption prosecutor, I am pleased the Senate will take up my legislation to close the Double Jeopardy loophole and crack down on corruption. No one — not even the President and his inner circle — is above the law, and I urge the Assembly to pass this vital piece of legislation in an expeditious fashion — justice demands no less.”

Senate Deputy Leader Michael Gianaris said, “No person is above the law, including the President of the United States. I am proud to support these proposals to send a message that New York insists on accountability and transparency no matter how powerful one is.”

Senator Alessandra Biaggi said, “Right now, our democracy and a government that is actually of, by and for the people is at risk. The only way to preserve our precious ideals is to uphold the rule of law and hold everyone accountable for their actions.”

Senator Neil Breslin said, “These Bills are an important safeguard to our democracy. I applaud the bill sponsors and hope we can continue to exemplify that no one is above the rule of law.”

Senator John Brooks said, “No one individual is above the law, especially the President of the United States. Accountability of personal finances and responsible checks on executive power must be a consideration for those aspiring to the highest office in the land.”

Senator David Carlucci said, “New York is taking action to fairly prosecute criminals and to help in federal investigations. If the President allows leniency to criminals due to personal conflicts, our state will uphold the rule of law. If the President refuses to release his tax returns while under federal investigation, New York will help serve as a check and balance. All elected officials must and should be held to the rules that govern this country.”

Senator Andrew Gounardes said, “The disclosure of tax returns and other financial documents to the American people are part of longstanding transparency norms and failing to do so undermines the essential trust between government officials and those they serve. The public has a right to know whether a lawmaker is making decisions based on his or her own interests or the public good. I am proud to support legislation to ensure that Congress has all they need to fulfill their constitutional duty to perform rigorous oversight.”

Senator Anna M. Kaplan said, “As elected officials, we owe a duty of transparency and honesty to the people we serve, and none of us is above the law, nor exempt from reasonable oversight. That’s why I’m proud to co-sponsor legislation that would permit the state to

release certain state tax returns to congressional committees to facilitate critically needed oversight, and also legislation which would preserve the authority of state prosecutors to bring charges against conflicted individuals who have received questionable pardons.”

Senator John Liu said, “It is our obligation, as the NYS Legislature, to hold the highest office in our country to standards commensurate to its power. These two bills will provide clarity for a president whose understanding of the rule of law is, at best, ambiguous, at worst, an imminent threat to the ideals upon which this country is based.”

Senator Gustavo Rivera said, “I firmly believe that no one is above the law and I am infuriated that members of the Trump administration are not complying with Congressional investigations. The bills sponsored by Senators Hoylman and Kaminsky demonstrate New York's deep respect for justice and our commitment to the rule of law. We will not stand idly by while our nation's democracy is being challenged and derided by Trump and his associates.”

Senator James Sanders, Jr. said, “Today, the New York State Senate Democratic Conference is taking the initiative to promote transparency and integrity for the highest office in the land.”

Senator Luis Sepúlveda said, “It is our responsibility as New York State legislators to hold President Donald Trump accountable for his actions and dishonesty towards the American people. The American people deserve a leader who will not hide behind a facade. The President's deception has garnered for far too long, and with the passage of the following legislation, we will hold the guilty responsible for their actions without any leniencies.”

Senator Toby Ann Stavisky said, “No one should be above the law. When our federal government fails to enforce the law, we must take action. If agencies like the Department of Justice and Department of Treasury ignore the law, we must stand with our Congressional

colleagues to hold this administration accountable.”

Senator Kevin Thomas said, “The public has a right to know if our elected officials are benefiting from public office, or refusing to address conflicts of interest. Senator Hoylman’s TRUST Act will ensure that Congress can fulfill its oversight duties by enabling New York State to release state tax returns in cooperation with Congressional investigations. Even the highest elected officials must be held accountable to the people.”

RELATED LEGISLATION

2019-S5072A

- Introduced

- - In Committee Assembly
 - In Committee Senate

- - On Floor Calendar Assembly
 - On Floor Calendar Senate

- - Passed Assembly
 - Passed Senate

- Delivered to Governor

- Signed By Governor

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Requires the commissioner of taxation and finance to cooperate with investigations by certain committees of the United States Congress under certain circumstances

April 08, 2019

Signed by Governor

Sponsored by **Brad Hoylman-Sigal**

Do you support this bill?

2019-S4572

- Introduced
 - ◦ In Committee Assembly
 - In Committee Senate
 - ◦ On Floor Calendar Assembly
 - On Floor Calendar Senate
 - ◦ Passed Assembly
 - Passed Senate
 - Delivered to Governor
 - Signed By Governor

- Relates to presidential reprieve, pardon or other form of clemency and previous prosecution

March 15, 2019

Signed by Governor

Sponsored by **Todd Kaminsky**

Do you support this bill?