



127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 964

H.P. 663

House of Representatives, March 17, 2015

An Act To Provide Access to Private Apartment Complexes for Political Candidates

Reference to the Committee on Veterans and Legal Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative VACHON of Scarborough.
Cosponsored by Senator VALENTINO of York and
Representatives: AUSTIN of Gray, HARLOW of Portland, MALABY of Hancock, PARRY of
Arundel, REED of Carmel, RUSSELL of Portland, SIROCKI of Scarborough, Senator: LIBBY
of Androscoggin.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 21-A MRSA §8** is enacted to read:

3 **§8. Access by candidates to multiple-unit dwellings**

4 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
5 following terms have the following meanings.

6 A. "Candidate" means a candidate under this Title or a candidate for county or
7 municipal office under Title 30-A. "Candidate" includes one or more volunteers who
8 accompany the candidate.

9 B. "Multiple-unit dwelling" means the common area of an apartment building,
10 dormitory, fraternity or sorority house, condominium building, nursing home,
11 assisted living facility or other multiple-unit facility used as a residence or an area in
12 which 2 or more dwellings are located on private grounds or a private roadway.

13 **2. Access by a candidate.** A person, either directly or indirectly, may not deny
14 access to a multiple-unit dwelling to a candidate if:

15 A. The multiple-unit dwelling is located within the candidate's district;

16 B. Access is sought exclusively for the purpose of campaigning for the office for
17 which the candidate is running; and

18 C. The election in which the candidate is running is the next general election or
19 special election for the office for which the candidate is running.

20 **3. Limitations of access.** A candidate who accesses a multiple-unit dwelling under
21 subsection 2 may:

22 A. Knock on a resident's door, ring a resident's doorbell or otherwise attempt to
23 speak to a resident of the multiple-unit dwelling;

24 B. Speak to a resident if the resident is willing to speak to the candidate; or

25 C. Leave campaign materials for a resident at the resident's door, except that a
26 nursing home or assisted living facility may direct that campaign materials be left in a
27 central location within the home or facility.

28 If the multiple-unit dwelling contains multiple buildings, access must be permitted to
29 every building, but a candidate may access only one building at a time.

30 **4. Exceptions.** Subsection 2 does not prohibit:

31 A. Denial of admittance into a particular apartment, condominium, single-family
32 house or building, room or other personal residential unit;

33 B. Requiring the candidate to provide proper identification;

34 C. For a nursing home or assisted living facility, denial of access to all or a portion
35 of the multiple-unit dwelling for valid health reasons;

36 D. Limiting the number of volunteers accompanying the candidate;

- 1 E. Setting reasonable hours for the access to the multiple-unit dwelling;
- 2 F. Requiring an appointment for accessing the multiple-unit dwelling; or
- 3 G. Denial of access to or expulsion from the multiple-unit dwelling for good cause.
- 4 5. **Alternate access.** A person does not violate subsection 2 if the person hosts a
- 5 candidate forum and all residents of the dwelling are notified of the forum within a
- 6 reasonable time before the forum and the candidate is allowed to leave campaign
- 7 materials for a resident who does not attend the forum.

8 **SUMMARY**

9 This bill allows candidates for office and their accompanying volunteers to access
10 common areas of multiple-unit dwellings such as apartment or condominium buildings,
11 dormitories, fraternity or sorority houses, nursing homes, assisted living facilities or other
12 multiple-unit facilities for the specific purpose of campaigning for that office and leaving
13 campaign materials, subject to certain limitations. This bill does not prohibit denying the
14 candidate access to specific residential units, setting reasonable hours of access, limiting
15 the number of volunteers, requiring an appointment, denying access to a nursing home or
16 assisted living facility for valid health reasons or denying access to or expulsion from a
17 multiple-unit dwelling for good cause. This bill allows an alternative to access if the
18 multiple-unit dwelling hosts a candidate forum and all residents receive prior notice of
19 the forum.