

STATE OF NEW YORK

4181

2021-2022 Regular Sessions

IN ASSEMBLY

February 1, 2021

Introduced by M. of A. LAVINE -- read once and referred to the Committee on Election Law

AN ACT to amend the election law, in relation to access to multiple unit dwellings by candidates and volunteers for the purpose of campaigning or registering voters

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The election law is amended by adding a new section 3-109
2 to read as follows:

3 § 3-109. Access to multiple unit dwellings by candidates and volun-
4 teers. 1. It is unlawful for a person, either directly or indirectly, to
5 deny access to an apartment house, dormitory, nursing home, manufactured
6 home park, other multiple unit facility used as a residence, or an area
7 in which two or more single-family dwellings are located on private
8 roadways to a candidate who has:

9 (a) organized a campaign committee under applicable federal or state
10 law;

11 (b) filed a financial report as required by section 14-104 of this
12 chapter; or

13 (c) filed a certification of nomination or designation as a candidate
14 for elected office.

15 A candidate granted access under this section shall be allowed to be
16 accompanied by campaign volunteers.

17 2. Access to a facility or area is only required if it is located
18 within the district or area that will be represented by the office to
19 which the candidate seeks election, and the candidate and any accompany-
20 ing campaign volunteers seek access exclusively for the purpose of
21 campaigning for a candidate or registering voters. The candidate must be
22 seeking election to office at the next general or special election to be
23 held for that office.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 3. A candidate and any accompanying campaign volunteers granted access
2 under this section shall be permitted to leave campaign materials for
3 residents at their doors, except that the manager of a nursing home may
4 direct that the campaign materials be left at a central location within
5 the facility. The campaign materials must be left in an orderly manner.

6 4. If a facility or area contains multiple buildings, a candidate and
7 accompanying volunteers must be permitted to access more than one build-
8 ing on a single visit, but access is limited to only one building at a
9 time. If multiple candidates are traveling together, each candidate and
10 that candidate's accompanying volunteers are limited to one building at
11 a time, but all of the candidates and accompanying volunteers traveling
12 together shall not be restricted to accessing the same building at the
13 same time.

14 5. The provisions of this section shall not prohibit:

15 (a) denial of admittance into a particular apartment, room, manufac-
16 tured home, or personal residential unit;

17 (b) requiring reasonable and proper identification as a necessary
18 prerequisite to admission to a multiple unit dwelling;

19 (c) in the case of a nursing home or assisted living facility, denial
20 of permission to visit certain persons for valid health reasons;

21 (d) limiting visits by candidates or volunteers accompanied by the
22 candidate to a reasonable number of persons or during reasonable hours;

23 (e) requiring a prior appointment to gain access to the facility; or

24 (f) denial of admittance to or expulsion from a multiple unit dwelling
25 for good cause.

26 6. A violation of this section is a misdemeanor.

27 § 2. This act shall take effect immediately.