

§682. Political activities

Certain activities are prohibited on election day. [PL 2003, c. 447, §22 (RPR).]

1. Instruction limited. Within the voting place, a person may not instruct another in the method of marking the ballot, except as provided in section 672.

[PL 2003, c. 447, §22 (RPR).]

2. Influence prohibited. On public property within 250 feet of the entrance to the voting place as well as within the voting place itself, a person may not:

A. Influence another person's decision regarding a candidate for an office or question that is on the ballot for the election that day; or [PL 2019, c. 371, §21 (AMD).]

B. Attempt to influence another person's decision regarding a candidate for an office or question that is on the ballot for the election that day. [PL 2019, c. 371, §21 (AMD).]

C. [PL 2003, c. 447, §22 (RP).]

These limitations do not prohibit a candidate from attending the voting place and orally communicating with voters as long as the candidate does not attempt to influence their vote. A candidate may not state the name of the office sought or request a person's vote.

[PL 2019, c. 371, §21 (AMD).]

2-A. Application. This subsection governs the application of subsection 2.

A. Subsection 2 does not apply to pollwatchers, who may remain in the voting place outside the guardrail enclosure as long as they do not attempt to influence voters or interfere with their free passage. [PL 2003, c. 447, §22 (NEW).]

B. Subsection 2 does not prohibit media representatives from conducting an exit poll, as long as they do not solicit voters until after the voters have voted and do not orally communicate with voters in a way that influences a voter's vote. [PL 2003, c. 447, §22 (NEW).]

C. If a person attempts to influence voters or interfere with their free passage, the warden shall have that person removed from the voting place. [PL 2003, c. 447, §22 (NEW).]

[PL 2003, c. 447, §22 (NEW).]

3. Advertising prohibited. A person may not display advertising material; operate an advertising medium, including a sound amplification device; or display or distribute campaign literature, posters, palm cards, buttons, badges or stickers containing a candidate's name or otherwise intending to influence the opinion of any voter regarding a candidate for an office or question that is on the ballot for the election that day on any public property located within 250 feet of the entrance to either the voting place or the building in which the registrar's office is located. The term "sound amplification device" includes, but is not limited to, sound trucks, loudspeakers and blowhorns.

A. This subsection does not apply to advertising material on automobiles traveling to and from the voting place for the purposes of voting. It does not prohibit a person who is at the polls solely for the purpose of voting from wearing a campaign button when the longest dimension of the button does not exceed 3 inches. [PL 2009, c. 253, §27 (AMD).]

B. Nonpolitical charitable activities and other nonpolitical advertising may be allowed at the discretion of the clerk if arrangements are made prior to election day. If arrangements are not made in advance of the election day, the warden may, at the warden's discretion, either allow or prohibit nonpolitical charitable activities and other nonpolitical advertising. [PL 2003, c. 447, §22 (RPR).]

C. [PL 2003, c. 447, §22 (RP).]

[PL 2019, c. 371, §22 (AMD).]

4. Devices for audible communication. Party workers or others may not use cellular phones, voice pagers or similar devices to make audible voice communication within the voting place that is in violation of subsection 2.

[PL 2003, c. 447, §22 (NEW).]

5. Violation. A person who knowingly engages in activities prohibited by this section commits a Class E crime.

[PL 2003, c. 447, §22 (NEW).]

6. Public property limited. For purposes of this section, "public property" does not include a public right-of-way across privately owned property if it is an easement right-of-way.

[PL 2009, c. 253, §28 (NEW).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 1985, c. 383, §11 (AMD). PL 1991, c. 466, §20 (AMD). PL 1993, c. 473, §§19,20 (AMD). PL 1993, c. 473, §46 (AFF). PL 1995, c. 459, §§61,62 (AMD). PL 2001, c. 310, §37 (AMD). PL 2003, c. 447, §22 (RPR). PL 2005, c. 568, §§14,15 (AMD). PL 2009, c. 253, §§27, 28 (AMD). PL 2015, c. 447, §22 (AMD). PL 2019, c. 371, §§21, 22 (AMD).

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