

# MAINE STATE LEGISLATURE

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# 131st MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2023

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Legislative Document

No. 1568

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H.P. 1013

House of Representatives, April 11, 2023

### **An Act to Protect Access to Absentee Ballot Drop Boxes**

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

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

ROBERT B. HUNT  
Clerk

Presented by Representative ROBERTS of South Berwick.  
Cosponsored by Representatives: MALON of Biddeford, MEYER of Eliot, RIELLY of  
Westbrook, ROEDER of Bangor, SALISBURY of Westbrook, TERRY of Gorham.

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

2 **Sec. 1. 21-A MRSA §674, sub-§1, ¶C**, as repealed and replaced by PL 1993, c.  
3 473, §18 and affected by §46, is amended to read:

4 C. Assists or offers to assist another person at the voting place in marking that other  
5 person's ballot, unless the person has been requested to do so by the warden or ward  
6 clerk; ~~or~~

7 **Sec. 2. 21-A MRSA §674, sub-§1, ¶G**, as enacted by PL 2011, c. 342, §24, is  
8 amended to read:

9 G. Having been entrusted with another voter's marked ballot, intentionally or  
10 knowingly discloses the content of that ballot to another person; or

11 **Sec. 3. 21-A MRSA §674, sub-§1, ¶H** is enacted to read:

12 H. Knowingly blocks or attempts to block access to a secured drop box.

13 **Sec. 4. 21-A MRSA §753-B, sub-§8**, as amended by PL 2021, c. 273, §21, is  
14 further amended to read:

15 **8. Absentee voting in presence of clerk.** A person who wishes to vote by absentee  
16 ballot may, without completing an application, vote by absentee ballot in the presence of  
17 the clerk, except as provided in subsection 2. Before issuing a ballot, the clerk shall verify  
18 that it is the voter who is requesting the ballot by confirming the voter's residence address  
19 and year of birth with the information in the voter's record. The method of voting is  
20 otherwise as prescribed in this article. After the person has voted, the clerk shall sign the  
21 affidavit on the return envelope as a witness, indicate on the envelope that the voter voted  
22 in the presence of a clerk and ensure that the affidavit on the return envelope is properly  
23 completed by the voter. For the 45 days preceding an election, during the hours when the  
24 clerk's office is ~~open and may be~~ conducting absentee voting or receiving absentee ballots  
25 in a secured drop box, the display or distribution of any advertising material intended to  
26 influence a voter's decision regarding a candidate or question on the ballot for that election  
27 is prohibited within the clerk's office and on public property within 250 feet of the entrance  
28 to the building in which the clerk's office is located.

29 This subsection does not apply to the display or distribution of any campaign advertising  
30 material on private property that is within 250 feet of the entrance to the building in which  
31 the clerk's office is located. For purposes of this section, "private property" includes  
32 privately owned property subject to a public right-of-way that is an easement right-of-way.

33 This subsection does not apply to campaign advertising material on automobiles traveling  
34 to and from the municipal office or parked on municipal property while the occupants are  
35 visiting the municipal office to conduct municipal business. It does not prohibit a person  
36 who is at the municipal office for the purpose of conducting municipal business or for  
37 absentee voting from wearing a campaign button when the longest dimension of the button  
38 does not exceed 3 inches.

39 **SUMMARY**

40 This bill provides that a person who knowingly blocks or attempts to block access to a  
41 secured absentee ballot drop box commits a Class E crime. It also prohibits the display or

1 distribution of advertising material intended to influence a voter's decision for the 45 days  
2 preceding an election when the clerk's office is receiving absentee ballots in a secured drop  
3 box.