

# Senate Bill 511

Sponsored by Senator MORRISETTE (at the request of Oregon Manufactured Homeowners United)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Allows candidates for public office or officers or representatives of tenant organization or homeowners association to canvass in manufactured dwelling or floating home facility. Punishes violation by maximum fine of \$1,000.

## A BILL FOR AN ACT

1  
2 Relating to right to canvass in facility; amending ORS 90.720, 90.750 and 90.755.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 90.750 is amended to read:

5 90.750. (1) No provision contained in any bylaw, rental agreement, regulation or rule pertaining  
6 to a facility shall:

7 [(1)] (a) Infringe upon the right of persons who rent spaces in a facility to peaceably assemble  
8 in an open public meeting for any lawful purpose, at reasonable times and in a reasonable manner,  
9 in the common areas or recreational areas of the facility. Reasonable times shall include daily the  
10 hours between 8 a.m. and 10 p.m.

11 [(2)] (b) Infringe upon the right of persons who rent spaces in a facility to communicate or as-  
12 semble among themselves, at reasonable times and in a reasonable manner, for the purpose of dis-  
13 cussing any matter, including but not limited to any matter relating to the facility or manufactured  
14 dwelling or floating home living. The discussions may be held in the common areas or recreational  
15 areas of the facility, including **clubhouses**, halls or centers, or any resident's dwelling unit or  
16 floating home. The landlord of a facility, however, may enforce reasonable rules and regulations  
17 including but not limited to place, scheduling, occupancy densities and utilities.

18 [(3)] (c) Prohibit any person who rents a space for a manufactured dwelling or floating home,  
19 **a candidate for public office or an officer or representative of a tenant organization or**  
20 **homeowners association** from canvassing [other] persons in the [same] facility for purposes de-  
21 scribed in this section. As used in this [subsection] **paragraph**, "canvassing" includes door-to-door  
22 contact, an oral or written request, the distribution, the circulation, the posting or the publication  
23 of a notice or newsletter or a general announcement or any other matter relevant to **the candi-**  
24 **date's campaign or** the membership of a [tenants'] **tenant organization or homeowners** associ-  
25 ation. **The landlord of the facility shall provide public bulletin boards to post any materials**  
26 **related to canvassing described in this paragraph.**

27 (d) Prohibit any person who rents a space in the facility, an officer or representative of  
28 a tenant organization or homeowners association or a candidate for public office from solici-  
29 ting persons in the facility for membership dues, campaign contributions or any other pur-  
30 pose.

31 (e) Require any person who rents a space in the facility to secure a bond or liability in-

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [italic and bracketed] is existing law to be omitted.  
New sections are in **boldfaced** type.

1 **surance in order to reserve a common area or recreational area of the facility, including a**  
 2 **clubhouse, hall or center.**

3 [(4)] (2) **Except as provided in subsection (1)(d) of this section,** this section is not intended  
 4 to require a landlord to permit any person to solicit money[, *except that a tenants' association mem-*  
 5 *ber, whether or not a tenant of the facility, may personally collect delinquent dues owed by an existing*  
 6 *member of a tenants' association*].

7 [(5)] (3) This section is not intended to require a landlord to permit any person to disregard a  
 8 tenant's request not to be canvassed.

9 **(4) Violation of this section is a violation punishable by a fine not to exceed \$1,000.**

10 **SECTION 2.** ORS 90.755 is amended to read:

11 90.755. (1) No provision in any bylaw, rental agreement, regulation or rule shall infringe upon  
 12 the right of a person who rents a space for a manufactured dwelling or floating home to invite  
 13 public officers, candidates for public office or officers or representatives of a tenant organization  
 14 **or homeowners association** to appear and speak upon matters of public interest in the common  
 15 areas or recreational areas of the facility at reasonable times and in a reasonable manner in an open  
 16 public meeting. The landlord of a facility, however, may enforce reasonable rules and regulations  
 17 relating to the time, place and scheduling of the speakers [*that will protect the interests of the ma-*  
 18 *jority of the homeowners*].

19 (2) The landlord shall allow the tenant to place political signs on or in a manufactured dwelling  
 20 or floating home **or anywhere on the space** owned by the tenant. The size[,] **and** placement [*and*  
 21 *character*] of such signs shall be subject to the reasonable rules of the landlord.

22 **(3) Violation of this section is a violation punishable by a fine not to exceed \$1,000.**

23 **SECTION 3.** ORS 90.720 is amended to read:

24 90.720. (1) In addition to the tenant's cause of action under ORS 90.710, any tenant prevented  
 25 from exercising the rights in ORS 90.750 or 90.755 may bring an action in the appropriate court  
 26 having jurisdiction in the county in which the alleged infringement occurred, and upon favorable  
 27 adjudication, the court shall enjoin the enforcement of any provision contained in any bylaw, rental  
 28 agreement, regulation or rule, pertaining to a facility, [*which*] **that** operates to deprive the tenant  
 29 of these rights.

30 **(2) The prevailing party may recover its costs and attorney fees in any action brought**  
 31 **under this section.**