



SENATE BILL 220: Removal of Political Signs by Citizens.

2019-2020 General Assembly

Committee:	Senate Rules and Operations of the Senate	Date:	March 28, 2019
Introduced by:	Sens. D. Davis, Tillman, Hise	Prepared by:	Jessica Sammons
Analysis of:	Second Edition		Staff Attorney

OVERVIEW: *Senate Bill 220 would deem abandoned any political sign remaining in the public right-of-way more than 40 days after the primary or election day, and would authorize a citizen to remove and dispose of the sign without penalty.*

CURRENT LAW: G.S. 136-32 prevents the placement of signs on highways except as authorized in that statute. The statute allows for compliant political signs to be placed in the right-of-way of the State highway system during the period beginning on the 30th day before one-stop early voting begins and ending on the 10th day after the primary or election day. A "political sign" is any sign that advocates for political action.

To be complaint, a permittee must obtain permission from the property owner fronting the right-of-way where the sign would be erected. Signs must be placed according to the following requirements:

- No sign can be in the right-of-way of a fully controlled access highway.
- No sign can be closer than 3 feet from the edge of the pavement of the road.
- No sign can obstruct motorist visibility at an intersection.
- No sign can be higher than 42 inches above the edge of the pavement of the road.
- No sign can be larger than 864 square inches.
- No sign can obscure or replace another sign.

G.S. 136-32(f) allows a city to enact an ordinance prohibiting or regulating the placement of political signs on rights-of-way of streets located within the corporate limits of a municipality and maintained by the municipality. If a city does not have such an ordinance, the provisions of G.S. 136-32 for placement of signs in the right-of-way of the State highway system apply.

It is a Class 3 misdemeanor for a person to steal, deface, vandalize, or unlawfully remove a lawfully placed political sign. DOT is authorized to remove any sign erected without authority or that remains beyond the established deadline.

BILL ANALYSIS: Senate Bill 220 would provide that any political sign remaining in the public right-of-way more than 40 days after the primary or election day is abandoned property. Any citizen would be authorized to remove the political sign, and dispose of it without penalty.

EFFECTIVE DATE: This act would become effective December 1, 2019, and would apply to offenses committed on or after that date.

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