



SENATE BILL 220: Removal of Political Signs by Citizens.

2019-2020 General Assembly

Committee:	House Elections and Ethics Law. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	June 17, 2019
Introduced by:	Sens. D. Davis, Tillman, Hise	Prepared by:	Erika Churchill and Jessica Sammons, Committee Counsel
Analysis of:	Third Edition		

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 abandoned 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 compliant, 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. The Department of Transportation (DOT) is authorized to remove any sign erected without authority or that remains beyond the established deadline.

BILL ANALYSIS: The bill would provide that any political sign remaining in the public right-of-way more than 30 days after the 10th day after primary or election day, or 40 days from the primary or election,

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is abandoned property. Any citizen would be authorized to remove the abandoned political sign, and dispose of it without penalty.

EFFECTIVE DATE: Effective December 1, 2019, and would apply to offenses committed on or after that date.