

House Engrossed Senate Bill
political signs; removal; elections

State of Arizona
Senate
Fifty-sixth Legislature
Second Regular Session
2024

SENATE BILL 1063

AN ACT

AMENDING SECTION 16-1019, ARIZONA REVISED STATUTES; RELATING TO POLITICAL SIGNS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 16-1019, Arizona Revised Statutes, is amended to
3 read:

4 16-1019. Political signs; printed materials; tampering;
5 violation; classification; definitions

6 A. It is a class 2 misdemeanor for any person to knowingly remove,
7 alter, deface or cover any political sign of any candidate for public
8 office or in support of or opposition to any ballot measure, question or
9 issue or knowingly remove, alter or deface any political mailers,
10 handouts, flyers or other printed materials of a candidate or in support
11 of or opposition to any ballot measure, question or issue that are
12 delivered by hand to a residence for the period commencing ~~forty-five~~
13 ~~SEVENTY-ONE~~ days before ~~a primary~~ AN election and ending fifteen days
14 after the ~~general~~ election, except that for a sign for a candidate in a
15 primary election who ~~does not advance~~ ADVANCES to the general election,
16 the period ends fifteen days after the ~~primary~~ GENERAL election. FOR A
17 SIGN THAT SUPPORTS OR OPPOSES A BALLOT MEASURE, QUESTION OR ISSUE, THIS
18 SUBSECTION APPLIES ONLY FOR THE ELECTION AT WHICH THE BALLOT MEASURE,
19 QUESTION OR ISSUE IS SCHEDULED TO APPEAR ON THE BALLOT AND FOR THE PERIOD
20 COMMENCING SEVENTY-ONE DAYS BEFORE THAT ELECTION AND ENDING FIFTEEN DAYS
21 AFTER THAT ELECTION.

22 B. This section does not apply to the removal, alteration, defacing
23 or covering of a political sign or other printed materials by the
24 candidate or the authorized agent of the candidate in support of whose
25 election the sign or materials were placed, by a person authorized by the
26 committee in support of or opposition to a ballot measure, question or
27 issue that provided the sign or printed materials, by the owner or
28 authorized agent of the owner of private property on which such signs or
29 printed materials are placed with or without permission of the owner or
30 placed in violation of state law or county, city or town ordinance or
31 regulation.

32 C. Notwithstanding any other statute, ordinance or regulation, a
33 city, town or county of this state shall not remove, alter, deface or
34 cover any political sign if the following conditions are met:

35 1. The sign is placed in a public right-of-way that is owned or
36 controlled by that jurisdiction.

37 2. The sign supports or opposes a candidate for public office or it
38 supports or opposes a ballot measure, QUESTION OR ISSUE.

39 3. The sign is not placed in a location that is hazardous to public
40 safety, obstructs clear vision in the area or interferes with the
41 requirements of the Americans with disabilities act (42 United States Code
42 sections 12101 through 12213 and 47 United States Code sections 225 and
43 611).

1 4. The sign has a maximum area of sixteen square feet, if the sign
2 is located in an area zoned for residential use, or a maximum area of
3 thirty-two square feet if the sign is located in any other area.

4 5. The sign contains the name and telephone number or website
5 address of the candidate or campaign committee contact person.

6 D. If the city, town or county deems that the placement of a
7 political sign constitutes an emergency, the jurisdiction may immediately
8 relocate the sign. The jurisdiction shall notify the candidate or
9 campaign committee that placed the sign within twenty-four hours after the
10 relocation. If a sign is placed in violation of subsection C of this
11 section and the placement is not deemed to constitute an emergency, the
12 city, town or county may notify the candidate or campaign committee that
13 placed the sign of the violation. If the sign remains in violation at
14 least twenty-four hours after the jurisdiction notified the candidate or
15 campaign committee, the jurisdiction may remove the sign. The
16 jurisdiction shall contact the candidate or campaign committee contact and
17 shall retain the sign for at least ten business days to allow the
18 candidate or campaign committee to retrieve the sign without penalty.

19 E. A city, town or county employee acting within the scope of the
20 employee's employment is not liable for an injury caused by the failure to
21 remove a sign pursuant to subsection D of this section unless the employee
22 intended to cause injury or was grossly negligent.

23 F. Subsection C of this section does not apply to commercial
24 tourism, commercial resort and hotel sign free zones as those zones are
25 designated by municipalities. The total area of those zones shall not be
26 larger than three square miles, and each zone shall be identified as a
27 specific contiguous area where, by resolution of the municipal governing
28 body, the municipality has determined that based on a predominance of
29 commercial tourism, resort and hotel uses within the zone the placement of
30 political signs within the rights-of-way in the zone will detract from the
31 scenic and aesthetic appeal of the area within the zone and deter its
32 appeal to tourists. Not more than two zones may be identified within a
33 municipality.

34 G. A city, town or county may prohibit the installation of a sign
35 on any structure owned by the jurisdiction.

36 H. Subsection C of this section applies only during the period
37 commencing seventy-one days before ~~a primary~~ AN election and ending
38 fifteen days after the ~~general~~ election, except that for a sign for a
39 candidate in a primary election who ~~does not advance~~ ADVANCES to the
40 general election, the period ends fifteen days after the ~~primary~~ GENERAL
41 election. FOR A SIGN THAT SUPPORTS OR OPPOSES A BALLOT MEASURE, QUESTION
42 OR ISSUE, SUBSECTION C OF THIS SECTION APPLIES ONLY FOR THE ELECTION AT
43 WHICH THE BALLOT MEASURE, QUESTION OR ISSUE IS SCHEDULED TO APPEAR ON THE
44 BALLOT AND FOR THE PERIOD COMMENCING SEVENTY-ONE DAYS BEFORE THAT ELECTION
45 AND ENDING FIFTEEN DAYS AFTER THAT ELECTION.

1 I. This section does not apply to state highways or routes, or
2 overpasses over those state highways or routes.

3 J. FOR THE PURPOSES OF THIS SECTION:

4 1. "GENERAL ELECTION" MEANS THE GENERAL ELECTION AS PRESCRIBED BY
5 SECTION 16-211.

6 2. "PRIMARY ELECTION" MEANS AN ELECTION THAT IS HELD AS PRESCRIBED
7 BY SECTION 16-201.