

REFERENCE TITLE: political signs; removal; elections

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

## **SB 1063**

Introduced by  
Senator Kavanagh

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

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 days  
13 before ~~a primary~~ AN election and ending fifteen days after the ~~general~~  
14 election, except that for a sign for a candidate in a primary OR FIRST  
15 election who ~~does not advance~~ ADVANCES to the general OR RUNOFF election,  
16 AND THERE ARE MORE THAN FORTY-FIVE DAYS BETWEEN THOSE ELECTIONS, the  
17 period ends fifteen days after the ~~primary~~ GENERAL OR RUNOFF election.

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

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

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

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

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

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

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

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

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

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

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

31 H. Subsection C of this section applies only during the period  
32 commencing ~~seventy-one~~ FORTY-FIVE days before ~~a primary~~ AN election and  
33 ending fifteen days after the ~~general~~ election, except that for a sign for  
34 a candidate in a primary OR FIRST election who ~~does not advance~~ ADVANCES  
35 to the general OR RUNOFF election, AND THERE ARE MORE THAN FORTY-FIVE DAYS  
36 BETWEEN THOSE ELECTIONS, the period ends fifteen days after the ~~primary~~  
37 GENERAL OR RUNOFF election.

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

40 J. THIS SECTION APPLIES TO ANY ELECTION HELD IN THIS STATE BY A  
41 CITY, TOWN, COUNTY, SCHOOL DISTRICT, SPECIAL TAXING DISTRICT OR OTHER  
42 GOVERNMENTAL ENTITY, INCLUDING THIS STATE.