

Senate Engrossed  
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 OR FIRST election who ~~does not advance~~ ADVANCES to the general OR  
16 RUNOFF election, the period ends fifteen days after the ~~primary~~ GENERAL OR  
17 RUNOFF election. FOR A SIGN THAT SUPPORTS OR OPPOSES A BALLOT MEASURE,  
18 QUESTION OR ISSUE, THIS SUBSECTION APPLIES ONLY FOR THE ELECTION AT WHICH  
19 THE BALLOT MEASURE, QUESTION OR ISSUE IS SCHEDULED TO APPEAR ON THE BALLOT  
20 AND FOR THE PERIOD COMMENCING SEVENTY-ONE DAYS BEFORE THAT ELECTION AND  
21 ENDING FIFTEEN DAYS 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 OR FIRST election who ~~does not advance~~ ADVANCES to  
40 the general OR RUNOFF election, the period ends fifteen days after the  
41 ~~primary~~ GENERAL OR RUNOFF election. FOR A SIGN THAT SUPPORTS OR OPPOSES A  
42 BALLOT MEASURE, QUESTION OR ISSUE, SUBSECTION C OF THIS SECTION APPLIES  
43 ONLY FOR THE ELECTION AT WHICH THE BALLOT MEASURE, QUESTION OR ISSUE IS  
44 SCHEDULED TO APPEAR ON THE BALLOT AND FOR THE PERIOD COMMENCING

1 SEVENTY-ONE DAYS BEFORE THAT ELECTION AND ENDING FIFTEEN DAYS AFTER THAT  
2 ELECTION.

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

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

8 K. FOR THE PURPOSES OF THIS SECTION:

9 1. "GENERAL OR RUNOFF ELECTION" MEANS:

10 (a) THE GENERAL ELECTION AS PRESCRIBED BY SECTION 16-211 AND, FOR A  
11 CITY OR TOWN OR OTHER POLITICAL SUBDIVISION THAT HOLDS A PRIMARY OR FIRST  
12 ELECTION, THE RUNOFF ELECTION OR SECOND ELECTION WITHOUT REGARD TO WHETHER  
13 THE POLITICAL SUBDIVISION DESIGNATES THE ELECTION AS A GENERAL, RUNOFF OR  
14 SECOND ELECTION OR ANY OTHER DESCRIPTIVE TERM.

15 (b) FOR A POLITICAL SUBDIVISION THAT HOLDS A SINGLE ELECTION AND  
16 FOR WHICH A PRIMARY ELECTION IS NEVER HELD, THE SINGLE ELECTION.

17 2. "POLITICAL SUBDIVISION" MEANS A CITY, TOWN, COUNTY, SCHOOL  
18 DISTRICT, SPECIAL TAXING DISTRICT OR OTHER GOVERNMENTAL ENTITY.

19 3. "PRIMARY OR FIRST ELECTION" MEANS AN ELECTION THAT IS HELD AS  
20 PRESCRIBED BY SECTION 16-201 AND, FOR A CITY OR TOWN OR OTHER POLITICAL  
21 SUBDIVISION THAT HOLDS A PRELIMINARY, PRIMARY OR FIRST ELECTION THAT IS  
22 HELD FOR THE PURPOSE OF REDUCING THE NUMBER OF CANDIDATES FOR A POSSIBLE  
23 SUBSEQUENT ELECTION OR RECEIVING A PARTISAN NOMINATION OR DESIGNATION,  
24 WITHOUT REGARD TO WHETHER THE POLITICAL SUBDIVISION DESIGNATES THE  
25 ELECTION A PRIMARY ELECTION, A FIRST ELECTION, A PRELIMINARY ELECTION OR  
26 ANY OTHER DESCRIPTIVE TERM.