

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2500

(Reference to printed bill)

Strike everything after the enacting clause and insert:

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

16-1019. Political signs; tampering; classification

A. It is a class 2 misdemeanor for any person to knowingly remove, alter, deface or cover any political sign of any candidate for public office for the period commencing forty-five days ~~prior to~~ BEFORE a primary election and ending seven days after the general election.

B. ~~The provisions of~~ This section ~~shall~~ DOES not apply to the removal, alteration, defacing or covering of a political sign by the candidate or the authorized agent of the candidate in support of whose election the sign was placed, ~~or~~ by the owner or authorized agent of the owner of private property on which such signs are placed with or without permission of the owner, ~~or~~ placed in violation of state law, ~~or~~ county, city or town ordinance or regulation.

C. NOTWITHSTANDING ANY OTHER STATUTE, ORDINANCE OR REGULATION, THIS STATE OR ANY CITY, TOWN OR COUNTY SHALL NOT REMOVE, ALTER, DEFACE OR COVER ANY POLITICAL SIGN IF THE FOLLOWING CONDITIONS ARE MET:

1. THE SIGN IS PLACED IN A PUBLIC RIGHT-OF-WAY THAT IS OWNED OR CONTROLLED BY THAT JURISDICTION.

2. THE SIGN SUPPORTS OR OPPOSES A CANDIDATE FOR PUBLIC OFFICE OR IT SUPPORTS OR OPPOSES A BALLOT MEASURE.

3. THE SIGN IS NOT PLACED IN A LOCATION THAT IS HAZARDOUS TO PUBLIC SAFETY, OBSTRUCTS CLEAR VISION IN THE AREA OR INTERFERES WITH THE REQUIREMENTS OF THE AMERICANS WITH DISABILITIES ACT (42 UNITED STATES CODE SECTIONS 12101 THROUGH 12213 AND 47 UNITED STATES CODE SECTIONS 225 AND 611).

1 4. THE SIGN HAS A MAXIMUM AREA OF SIXTEEN SQUARE FEET, IF THE SIGN IS
2 LOCATED IN AN AREA ZONED FOR RESIDENTIAL USE, OR A MAXIMUM AREA OF THIRTY-TWO
3 SQUARE FEET IF THE SIGN IS LOCATED IN ANY OTHER AREA.

4 D. IF THE STATE, CITY, TOWN OR COUNTY DEEMS THAT THE PLACEMENT OF A
5 POLITICAL SIGN CONSTITUTES AN EMERGENCY, THE JURISDICTION MAY IMMEDIATELY
6 RELOCATE THE SIGN. THE JURISDICTION SHALL NOTIFY THE CANDIDATE OR CAMPAIGN
7 COMMITTEE THAT PLACED THE SIGN WITHIN TWENTY-FOUR HOURS AFTER THE RELOCATION.
8 IF A SIGN IS PLACED IN VIOLATION OF SUBSECTION C AND THE PLACEMENT IS NOT
9 DEEMED TO CONSTITUTE AN EMERGENCY, THE STATE, CITY, TOWN OR COUNTY MAY NOTIFY
10 THE CANDIDATE OR CAMPAIGN COMMITTEE THAT PLACED THE SIGN OF THE VIOLATION.
11 IF THE SIGN REMAINS IN VIOLATION AT LEAST TWENTY-FOUR HOURS AFTER THE
12 JURISDICTION NOTIFIED THE CANDIDATE OR CAMPAIGN COMMITTEE, THE JURISDICTION
13 MAY REMOVE THE SIGN. THE JURISDICTION SHALL RETAIN THE SIGN AND SHALL ALLOW
14 THE CANDIDATE OR CAMPAIGN COMMITTEE TO RETRIEVE THE SIGN WITHOUT PENALTY.

15 E. THIS STATE OR ANY CITY, TOWN OR COUNTY MAY PROHIBIT THE
16 INSTALLATION OF A SIGN ON ANY STRUCTURE OWNED BY THE JURISDICTION.

17 F. THE PROHIBITION PRESCRIBED IN SUBSECTION C APPLIES ONLY DURING THE
18 PERIOD COMMENCING SIXTY DAYS BEFORE A PRIMARY ELECTION AND ENDING FIFTEEN
19 DAYS AFTER THE GENERAL ELECTION, EXCEPT THAT FOR A SIGN FOR A CANDIDATE IN A
20 PRIMARY ELECTION WHO DOES NOT ADVANCE TO THE GENERAL ELECTION, THE PERIOD
21 ENDS FIFTEEN DAYS AFTER THE PRIMARY ELECTION.

22 G. SUBSECTION C DOES NOT APPLY TO PUBLIC RIGHTS-OF-WAY FOR CONTROLLED
23 ACCESS HIGHWAYS OR OVERPASSES OVER THOSE HIGHWAYS."

24 Amend title to conform

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2/10/11
5:40 PM
H:jmb