

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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SENATE BILL 220
Transportation Committee Substitute Adopted 3/27/19
Third Edition Engrossed 4/2/19
PROPOSED HOUSE COMMITTEE SUBSTITUTE S220-PCS45312-ST-48

Short Title: Removal of Political Signs by Citizens.

(Public)

Sponsors:

Referred to:

March 12, 2019

A BILL TO BE ENTITLED

AN ACT TO ALLOW ANY CITIZEN TO REMOVE A POLITICAL SIGN THAT REMAINS IN A PUBLIC RIGHT-OF-WAY THIRTY DAYS AFTER THE TIME WITHIN WHICH POLITICAL SIGNS ARE TO BE REMOVED, TO PROVIDE A WINDOW OF TIME BEFORE THE OPENING AND AFTER THE CLOSE OF POLLS FOR POLITICAL ADVERTISING TO BE PLACED AND COLLECTED AT THE VOTING PLACE, AND TO ALLOW THE EXECUTIVE DIRECTOR OF THE STATE BOARD OF ELECTIONS TO MODIFY THE REQUIRED CERTIFICATION DATES FOR THE 2019 ELECTION CYCLE IF NEEDED.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 136-32 reads as rewritten:

"§ 136-32. Regulation of signs.

...

(b) Compliant Political Signs Permitted. – During the period beginning on the 30th day before the beginning date of "one-stop" early voting under G.S. 163A-1300 and ending on the 10th day after the primary or election day, persons may place political signs in the right-of-way of the State highway system as provided in this section. Signs must be placed in compliance with subsection (d) of this section and must be removed by the end of the period prescribed in this subsection. Any political sign remaining in the right-of-way of the State highway system more than 30 days after the end of the period prescribed in this subsection shall be deemed unlawfully placed and abandoned property, and a person may remove and dispose of such political sign without penalty.

...

(f) Application Within Municipalities. – Pursuant to Article 8 of Chapter 160A of the General Statutes, a city may by ordinance prohibit or regulate the placement of political signs on rights-of-way of streets located within the corporate limits of a municipality and maintained by the municipality. Any such ordinance shall provide that any political sign that remains in a right-of-way of streets located within the corporate limits of a municipality and maintained by the municipality more than 30 days after the end of the period prescribed in the ordinance is to be deemed unlawfully placed and abandoned property, and a person may remove and dispose of such political sign without penalty. In the absence of an ordinance prohibiting or regulating the placement of political signs on the rights-of-way of streets located within a municipality and maintained by the municipality, the provisions of subsections (b) through (e) of this section shall apply."



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1 **SECTION 1.5.(a)** G.S. 163A-1046 is amended by adding a new subsection to read:
2 "(d) The county board of elections shall ensure that each precinct voting place permits
3 candidates at least 36 hours prior to the opening of the voting place and at least 36 hours after the
4 close of the voting place, as provided in G.S. 163A-1130, to place and retrieve political
5 advertising. Any political advertising placed outside the times specified in this subsection may
6 be removed by the property owner."

7 **SECTION 1.5.(b)** G.S. 163A-1134(c) is amended by adding a new subdivision to
8 read:

9 "(4) That the county board has attempted to secure as a term of the agreement at
10 least 36 hours prior to the opening of the voting place and at least 36 hours
11 after the close of the voting place, as provided in G.S. 163A-1130, for
12 candidates to place and retrieve political advertising. The agreement may also
13 provide that any political advertising placed outside the times specified in this
14 subsection may be removed by the property owner."

15 **SECTION 2.(a)** In the 2019 elections only, the Executive Director of the State Board
16 of Elections shall have the authority to reduce the canvass period by whatever amount of time
17 the Executive Director believes is necessary in order to ensure orderly elections on the election
18 schedule otherwise required by law. If the Executive Director shortens the canvass period, the
19 Executive Director shall provide at least two weeks' notice of the new canvass period to the
20 county boards and to the public.

21 **SECTION 2.(b)** This section is effective when it becomes law and expires
22 November 7, 2019.

23 **SECTION 3.** Except as otherwise provided, this act becomes effective December 1,
24 2019, and Section 1 applies to offenses committed on or after that date.