

HB0292S01 compared with HB0292

{Omitted text} shows text that was in HB0292 but was omitted in HB0292S01

inserted text shows text that was not in HB0292 but was inserted into HB0292S01

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Political Signs Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jordan D. Teuscher

Senate Sponsor:

LONG TITLE

General Description:

This bill amends provisions related to political signs.

Highlighted Provisions:

This bill:

- ▶ defines a term;
- ▶ for a political advertisement that is required to disclose certain campaign finance information, reduces the size dimensions of a lawn sign that is exempt from the disclosure requirement;
- ▶ prohibits a person from:
 - attaching a political sign to a utility pole, light pole, an electric utility box, or any road sign;or
 - {using any} affixing an object to a political sign to block, conceal, or misrepresent the message or image on a political sign;
- ▶ creates a criminal offense for a person who engages in the conduct described above;
- ▶ creates an exception to the criminal offense described above for a government employee who removes a political sign in accordance with the government employee's duties;

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- 17 ▶ specifies that a person does not commit a criminal offense related to a political sign if the person:
19 • removes an object described above;
20 • removes a lawn sign described above; or
21 • removes a political sign attached to a utility pole, light pole, an electric utility box, or road
sign; and
23 ▶ makes technical and conforming changes.

27 Money Appropriated in this Bill:

28 None

29 None

32 AMENDS:

33 **20A-11-901** , as last amended by Laws of Utah 2022, Chapter 18 , as last amended by Laws of Utah
2022, Chapter 18

34 **20A-17-102** , as enacted by Laws of Utah 2014, Chapter 238 , as enacted by Laws of Utah 2014,
Chapter 238

35 **20A-17-103** , as last amended by Laws of Utah 2023, Chapter 15 , as last amended by Laws of Utah
2023, Chapter 15

36

37 *Be it enacted by the Legislature of the state of Utah:*

38 Section 1. Section **20A-11-901** is amended to read:

39 **20A-11-901. Political advertisements -- Requirement that ads designate responsibility and
authorization -- Report to lieutenant governor -- Unauthorized use of endorsements.**

39 (1)

 . [(a)] Whenever any person makes an expenditure for the purpose of financing an advertisement
expressly advocating for the election or defeat of a clearly identified candidate, or solicits any
contribution through any broadcasting station, newspaper, magazine, outdoor advertising facility,
direct mailing, or any other type of general public political advertising, the advertisement:

44 [(i)] (a) if paid for and authorized by a candidate or the candidate's campaign committee, shall
clearly state that the advertisement has been paid for by the candidate or the campaign
committee;

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- [(ii)] (b) if paid for by another person but authorized by a candidate or the candidate's campaign committee, shall clearly state who paid for the advertisement and that the candidate or the campaign committee authorized the advertisement; or
- 50 [(iii)] (c) if not authorized by a candidate or a candidate's campaign committee, shall clearly state the name of the person who paid for the advertisement and state that the advertisement is not authorized by any candidate or candidate's committee.
- 53 (2)
- . (a) A person that makes an expenditure for the purpose of financing an advertisement related to a ballot proposition shall ensure that the advertisement complies with Subsection (2)(b) if the advertisement expressly advocates:
- 56 (i) for placing a ballot proposition on the ballot;
- 57 (ii) for keeping a ballot proposition off the ballot;
- 58 (iii) that a voter refrain from voting on a ballot proposition; or
- 59 (iv) that a voter vote for or against a ballot proposition.
- 60 (b) An advertisement described in Subsection (2)(a) shall:
- 61 (i) if paid for by a political issues committee, clearly state that the advertisement was paid for by the political issues committee;
- 63 (ii) if paid for by another person but authorized by a political issues committee, clearly state who paid for the advertisement and that the political issues committee authorized the advertisement; or
- 66 (iii) if not authorized by a political issues committee, clearly state the name of the person who paid for the advertisement and state that the advertisement is not authorized by any political issues committee.
- 69 (3) The requirements of Subsections (1) and (2) do not apply to:
- 70 (a) lawn signs with dimensions of ~~[four by eight feet]~~ 24 by 18 inches or smaller;
- 71 (b) bumper stickers;
- 72 (c) campaign pins, buttons, and pens; or
- 73 (d) similar small items upon which the disclaimer cannot be conveniently printed.
- 74 (4)
- . (a) A person who is not a reporting entity and pays for an electioneering communication shall file a report with the lieutenant governor within 24 hours of making the payment or entering into a contract to make the payment.

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77 (b) The report shall include:

78 (i) the name and address of the person described in Subsection (4)(a);

79 (ii) the name and address of each person contributing at least \$100 to the person described in Subsection
80 (4)(a) for the purpose of disseminating the electioneering communication;

82 (iii) the amount spent on the electioneering communication;

83 (iv) the name of the identified referenced candidate; and

84 (v) the medium used to disseminate the electioneering communication.

85 (5) A person may not, in order to promote the success of any candidate for nomination or election to
any public office, or in connection with any question submitted to the voters, include or cause to be
included the name of any person as endorser or supporter in any political advertisement, circular,
poster, or publication without the express consent of that person.

90 (6)

. (a) It is unlawful for a person to pay the owner, editor, publisher, or agent of any newspaper or other
periodical to induce the owner, editor, publisher, or agent to advocate or oppose editorially any
candidate for nomination or election.

93 (b) It is unlawful for any owner, editor, publisher, or agent to accept any payment to advocate or oppose
editorially any candidate for nomination or election.

98 Section 2. Section **20A-17-102** is amended to read:

99 **20A-17-102. Political signs.**

97 [~~(1) Except as provided in Subsection (2), a person is guilty of a class B misdemeanor if the person
knowingly removes, alters, defaces, or otherwise vandalizes a sign:]~~

99 [~~(a) advocating the election or defeat of a candidate for public office; or]~~

100 [~~(b) advocating the approval or defeat of a ballot proposition.]~~

101 (1) As used in this section, "political sign" means any sign or document that advocates:

102 (a) the election or defeat of a candidate for public office; or

103 (b) the approval or defeat of a ballot proposition.

104 (2) Except as provided in Subsection (4), a person is guilty of a class B misdemeanor if the person
knowingly:

106 (a) removes, alters, defaces, or otherwise vandalizes a political sign; or

107 {~~(b)~~ }

. {~~(1)~~ }

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- . ~~{(A)}~~ (b) attaches or affixes any object to a political sign, including another political sign ~~{; or}~~ and the object:
- 109 ~~{(B)}~~ {places any object adjacent to a political sign, including another political sign; and}
- 111 ~~{(ii)}~~ }
- . ~~{(A)}~~ (i) ~~{the object}~~ hides, blocks, obscures, or otherwise substantially conceals from view the message or image on the political sign; or
- 113 ~~{(B)}~~ (ii) ~~{the object}~~ changes or misrepresents the intent of the message on the political sign.
- 115 (3) Except as provided in Subsection (4), a person is guilty of a class C misdemeanor if the person knowingly attaches or affixes a political sign to a utility pole, light pole, an electric utility box, or any road sign.
- 118 [(2)] (4)
- . (a) A person is not guilty of a violation of Subsection [(1)] (2) if the person who engages in the conduct described in Subsection [(1)] (2) is:
- 120 [(a)] (i) as it relates to a political sign described in Subsection (1)(a), the candidate who placed the political sign, the candidate who directed the placement of the political sign, or an agent of the candidate;
- 123 [(b)] (ii) as it relates to a political sign described in Subsection (1)(b), the person who placed the political sign, the person who directed the placement of the political sign, or an agent of either;
- 126 [(c)] (iii) a property owner of property or a right of way adjacent to the property on which the political sign is placed, or the property owner's agent; or
- 128 [(d)] (iv) a public official who removes the sign in accordance with an official duty of the public official or government employee who removes the political sign in accordance with the duties of the public official or government employee.
- 130 (b) Notwithstanding Subsections (2) and (3), any person may:
- 131 (i) remove a political sign that is a lawn sign described in Subsection 20A-11-901(3)(a);
- 133 ~~{(ii)}~~ {in response to another person engaging in the conduct described in Subsection (2)(b), remove the object that:}
- 135 ~~{(A)}~~ (ii) in response to another person engaging in the conduct described in Subsection (2)(b), remove the object that is attached or affixed to the political sign; or
- 136 ~~{(B)}~~ {is adjacent to the political sign; or}
- 137

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(iii) in response to another person engaging in the conduct described in Subsection (3), remove the political sign that is attached or affixed to a utility pole, light pole, an electric utility box, or a road sign.

139 Section 3. Section **20A-17-103** is amended to read:

140 **20A-17-103. Posting political signs on public property.**

142 (1) As used in this section:

143 (a) "Local government entity" means:

144 (i) a county, municipality, or other political subdivision;

145 (ii) a special district, as defined in Section 17B-1-102;

146 (iii) a special service district, as defined in Section 17D-1-102;

147 (iv) a local building authority, as defined in Section 17D-2-102;

148 (v) a conservation district, as defined in Section 17D-3-102;

149 (vi) an independent entity, as defined in Section 63E-1-102;

150 (vii) a public corporation, as defined in Section 63E-1-102;

151 (viii) a public transit district, organized under Title 17B, Chapter 2a, Part 8, Public Transit District Act;

153 (ix) a school district;

154 (x) a public school, including a charter school or other publicly funded school;

155 (xi) a state institution of higher education;

156 (xii) an entity that expends public funds; and

157 (xiii) each office, agency, or other division of an entity described in Subsections (1)(a)(i) through (xii).

159 (b) "Political sign" means the same as that term is defined in Section 20A-17-102.

160 [~~(b) "Political sign" means any sign or document that advocates:~~]

161 [~~(i) the election or defeat of a candidate for public office; or~~]

162 [~~(ii) the approval or defeat of a ballot proposition.~~]

163 (c)

. (i) "Public property" means any real property, building, or structure owned or leased by a local government entity.

165 (ii) "Public property" does not include any real property, building, or structure during a period of time that the real property, building, or structure is rented out by a government entity to a private party for a meeting, convention, or similar event.

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(2) A local government entity, a local government officer, a local government employee, or another person with authority or control over public property that posts or permits a person to post a political sign on public property:

171 (a) shall permit any other person to post a political sign on the public property, subject to the same requirements and restrictions imposed on all other political signs permitted to be posted on the public property; and

174 (b) may not impose a requirement or restriction on the posting of a political sign if the requirement or restriction is not politically neutral and content neutral.

175 Section 4. **Effective date.**

This bill takes effect on May 7, 2025.

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