

1 **POSTING POLITICAL SIGNS ON PUBLIC PROPERTY**

2 2015 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Brad M. Daw**

5 Senate Sponsor: Alvin B. Jackson

7 **LONG TITLE**

8 **General Description:**

9 This bill addresses the posting of political signs on public property.

10 **Highlighted Provisions:**

11 This bill:

12 ▶ defines terms;

13 ▶ provides that a local government entity, a local government officer, a local
14 government employee, or another person with authority or control over public
15 property that posts or permits a person to post a political sign on public property
16 shall permit any other person to post a political sign on the public property, subject
17 to the same requirements and restrictions imposed on all other political signs posted
18 on the public property; and

19 ▶ prohibits a local government entity, a local government officer, a local government
20 employee, or another person with authority or control over public property from
21 imposing a requirement or restriction on the posting of a political sign on public
22 property if the requirement or restriction is not politically neutral and content
23 neutral.

24 **Money Appropriated in this Bill:**

25 None

26 **Other Special Clauses:**

27 None



28 **Utah Code Sections Affected:**

29 ENACTS:

30 **20A-17-103**, Utah Code Annotated 1953



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

33 Section 1. Section **20A-17-103** is enacted to read:

34 **20A-17-103. Posting political signs on public property.**

35 (1) As used in this section:

36 (a) "Local government entity" means:

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

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

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

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

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

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

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

44 (viii) a public transit district, organized under Title 17B, Chapter 2a, Part 8, Public

45 Transit District Act;

46 (ix) a school district;

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

48 (xi) a state institution of higher education;

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

50 (xiii) each office, agency, or other division of an entity described in Subsections

51 (1)(a)(i) through (xii).

52 (b) "Political sign" means any sign or document that advocates:

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

54 (ii) the approval or defeat of a ballot proposition.

55 (c) "Public property" means any real property, building, or structure owned or leased by

56 a local government entity.

57 (2) A local government entity, a local government officer, a local government

58 employee, or another person with authority or control over public property that posts or permits

59 a person to post a political sign on public property:

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

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

Legislative Review Note
as of 10-30-14 2:05 PM

Office of Legislative Research and General Counsel