

# SB0181S01 compared with SB0181

~~{deleted text}~~ shows text that was in SB0181 but was deleted in SB0181S01.

inserted text shows text that was not in SB0181 but was inserted into SB0181S01.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Senator Michael K. McKell proposes the following substitute bill:

## CAMPAIGN SIGN AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Michael K. McKell**

House Sponsor: \_\_\_\_\_

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### LONG TITLE

#### General Description:

This bill enacts provisions related to the removal of campaign signs.~~{ }~~

#### Highlighted Provisions:

This bill:

- ▶ defines terms;

~~{ } → requires a campaign sign displayed on a roadway to identify the owner of the sign;~~

~~{ }~~ ▶ authorizes a transportation authority that removes a campaign sign from a roadway to seek reimbursement ~~{at a rate of \$15 per sign from the sign's owner}~~ for the

removal from the candidate for public office identified on the campaign sign; and

- ▶ requires a transportation authority to provide ~~{the sign's owner or the}~~ a candidate for public office an opportunity to contest payment of the reimbursement ~~{notice issued by the transportation authority}~~.

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### Money Appropriated in this Bill:

None

### Other Special Clauses:

None

### Utah Code Sections Affected:

ENACTS:

20A-17-104, Utah Code Annotated 1953

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

Section 1. Section 20A-17-104 is enacted to read:

**20A-17-104. Removal of campaign signs from roadway by a transportation authority -- Reimbursement.**

(1) As used in this section:

(a) "Campaign sign" means ~~any~~a sign or document that advocates for the election of a candidate to public office.

(b) "~~Personal campaign committee~~Declaration of candidacy" means the ~~committee appointed by~~form an individual seeking to become a candidate for public office ~~to act for the candidate as provided in Chapter 11, Campaign and Financial Reporting Requirements.~~

~~(c) "Public office" files with the filing officer under Section 20A-9-202 or 20A-9-203.~~

(c) "Filing officer" means the same as that term is defined in Section ~~20A-11-101~~20A-9-101.

(d) "Mailing address" means:

(i) the address an individual designates on a declaration of candidacy as the address where the individual may receive official election notices; or

(ii) if the address described in Subsection (1)(d)(i) is a protected record under Section 63G-2-305, the additional contact address the individual filing a declaration of candidacy provides to the filing officer.

(e) "Municipality" means the same as that term is defined in Section 20A-1-102.

(f) "Public office" means the offices of governor, lieutenant governor, state auditor, state treasurer, attorney general, state school board member, state senator, state representative, or an elective office in a municipality.

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(g) (i) "Roadway" means:

(A) a state highway, as described in Section 72-3-102;

(B) a county road, as described in Section 72-3-103;

(C) a city street, as described in Section 72-3-104;

(D) a class D road, as described in Section 72-3-105; and

(E) a rail-based fixed guideway operated by a large public transit district.

(ii) "Roadway" includes:

(A) the right-of-way for a roadway; and

(B) infrastructure appurtenant to a roadway that is owned, maintained, or operated by a transportation authority.

(f|h) "Transportation authority" means:

(i) a city, county, town, or metro township;

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

(iii) the Department of Transportation created in Title 72, Chapter 1, Part 2, Department of Transportation.

(2) A ~~sign owner that displays a campaign sign on a roadway shall include in a discrete location on the sign:~~

~~(a) the name of the sign owner; and~~

~~(b) a mailing address for the sign owner.~~

(3) A ~~transportation authority that removes a campaign sign from a roadway may seek reimbursement, from the candidate identified on the sign, for removing the sign at the rate specified in Subsection (4) of \$15 per sign removed, if:~~

(a) the placement of the sign creates a public safety hazard; or

(b) the transportation authority is otherwise authorized by law to remove the campaign sign from the roadway.

(4) ~~The reimbursement rate for removing a campaign sign is \$15 per sign.~~

(5) ~~(a) 3) A transportation authority that seeks reimbursement for removing a campaign sign under Subsection (3) shall mail a reimbursement notice to:~~

~~(i) the name and address of the sign owner appearing on the campaign sign; or~~

~~(ii) if the name and address of the sign owner does not appear on the campaign sign.~~

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~~the personal campaign committee~~2) shall:

(a) obtain, from the filing officer, the mailing address of the candidate for public office who is identified on the campaign sign; and

(b) mail a reimbursement notice to the candidate.

(~~b~~4) A reimbursement notice shall include:

(~~i~~a) the number of campaign signs removed from the roadway by the transportation authority;

(~~ii~~b) the reimbursement amount; and

(~~iii~~c) any other information determined relevant by the transportation authority to obtain reimbursement for removing the campaign sign from the roadway.

(~~6~~5) (a) Subject to Subsection (~~6~~5)(b), a ~~sign owner or personal campaign committee~~ candidate for public office that receives a reimbursement notice under this section shall pay the amount specified in the notice no later than 30 days after the day on which the notice is received in the mail.

(b) A transportation authority shall provide the ~~sign owner or personal campaign committee~~ candidate for public office a reasonable opportunity to ~~contest~~ establish, by a preponderance of the evidence, that payment of the reimbursement notice is not required.

(~~7~~6) A ~~personal campaign committee~~ candidate for public office that receives a reimbursement notice under this section may use campaign funds to pay the reimbursement amount specified in the notice.