

Jordan D. Teuscher proposes the following substitute bill:

Political Signs Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jordan D. Teuscher

Senate Sponsor: Evan J. Vickers

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

- 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;

- specifies that a person does not commit a criminal offense related to a political sign if the person:

- removes an object described above;

- removes a lawn sign described above; or

- removes a political sign attached to a utility pole, light pole, an electric utility box, or road sign; and

- makes technical and conforming changes.

Money Appropriated in this Bill:

None

29 **Other Special Clauses:**

30 None

31 **Utah Code Sections Affected:**

32 AMENDS:

33 **20A-11-901**, as last amended by Laws of Utah 2022, Chapter 1834 **20A-17-102**, as enacted by Laws of Utah 2014, Chapter 23835 **20A-17-103**, 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**
 40 **responsibility and authorization -- Report to lieutenant governor -- Unauthorized use of**
 41 **endorsements.**

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

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

50 [(ii)] (b) if paid for by another person but authorized by a candidate or the candidate's
 51 campaign committee, shall clearly state who paid for the advertisement and that the
 52 candidate or the campaign committee authorized the advertisement; or

53 [(iii)] (c) if not authorized by a candidate or a candidate's campaign committee, shall
 54 clearly state the name of the person who paid for the advertisement and state that the
 55 advertisement is not authorized by any candidate or candidate's committee.

56 (2)(a) A person that makes an expenditure for the purpose of financing an advertisement
 57 related to a ballot proposition shall ensure that the advertisement complies with
 58 Subsection (2)(b) if the advertisement expressly advocates:

- 59 (i) for placing a ballot proposition on the ballot;
- 60 (ii) for keeping a ballot proposition off the ballot;
- 61 (iii) that a voter refrain from voting on a ballot proposition; or
- 62 (iv) that a voter vote for or against a ballot proposition.

- 63 (b) An advertisement described in Subsection (2)(a) shall:
- 64 (i) if paid for by a political issues committee, clearly state that the advertisement was
- 65 paid for by the political issues committee;
- 66 (ii) if paid for by another person but authorized by a political issues committee,
- 67 clearly state who paid for the advertisement and that the political issues committee
- 68 authorized the advertisement; or
- 69 (iii) if not authorized by a political issues committee, clearly state the name of the
- 70 person who paid for the advertisement and state that the advertisement is not
- 71 authorized by any political issues committee.
- 72 (3) The requirements of Subsections (1) and (2) do not apply to:
- 73 (a) lawn signs with dimensions of [~~four by eight feet~~] 24 by 18 inches or smaller;
- 74 (b) bumper stickers;
- 75 (c) campaign pins, buttons, and pens; or
- 76 (d) similar small items upon which the disclaimer cannot be conveniently printed.
- 77 (4)(a) A person who is not a reporting entity and pays for an electioneering
- 78 communication shall file a report with the lieutenant governor within 24 hours of
- 79 making the payment or entering into a contract to make the payment.
- 80 (b) The report shall include:
- 81 (i) the name and address of the person described in Subsection (4)(a);
- 82 (ii) the name and address of each person contributing at least \$100 to the person
- 83 described in Subsection (4)(a) for the purpose of disseminating the electioneering
- 84 communication;
- 85 (iii) the amount spent on the electioneering communication;
- 86 (iv) the name of the identified referenced candidate; and
- 87 (v) the medium used to disseminate the electioneering communication.
- 88 (5) A person may not, in order to promote the success of any candidate for nomination or
- 89 election to any public office, or in connection with any question submitted to the voters,
- 90 include or cause to be included the name of any person as endorser or supporter in any
- 91 political advertisement, circular, poster, or publication without the express consent of
- 92 that person.
- 93 (6)(a) It is unlawful for a person to pay the owner, editor, publisher, or agent of any
- 94 newspaper or other periodical to induce the owner, editor, publisher, or agent to
- 95 advocate or oppose editorially any candidate for nomination or election.
- 96 (b) It is unlawful for any owner, editor, publisher, or agent to accept any payment to

97 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.**

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

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

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

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

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

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

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

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

110 (b) attaches or affixes any object to a political sign, including another political sign, and
111 the object:

112 (i) hides, blocks, obscures, or otherwise substantially conceals from view the
113 message or image on the political sign; or

114 (ii) 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 ~~H~~ → a class C misdemeanor

115a an infraction ← H if the

116 person knowingly attaches or affixes a political sign to a utility pole, light pole, an
117 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
119 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
121 who placed the political sign, the candidate who directed the placement of the
122 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
124 placed the political sign, the person who directed the placement of the political
125 sign, or an agent of either;

126 ~~[(c)]~~ (iii) a property owner of property or a right of way adjacent to the property on
127 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~~
129 ~~of the public official]~~ or government employee who removes the political sign in

- 130 accordance with the duties of the public official or government employee.
- 131 (b) Notwithstanding Subsections (2) and (3), any person may:
- 132 (i) remove a political sign that is a lawn sign described in Subsection
- 133 20A-11-901(3)(a);
- 134 (ii) in response to another person engaging in the conduct described in Subsection
- 135 (2)(b), remove the object that is attached or affixed to the political sign; or
- 136 (iii) in response to another person engaging in the conduct described in Subsection (3),
- 137 remove the political sign that is attached or affixed to a utility pole, light pole, an
- 138 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.**

141 (1) As used in this section:

- 142 (a) "Local government entity" means:
- 143 (i) a county, municipality, or other political subdivision;
- 144 (ii) a special district, as defined in Section 17B-1-102;
- 145 (iii) a special service district, as defined in Section 17D-1-102;
- 146 (iv) a local building authority, as defined in Section 17D-2-102;
- 147 (v) a conservation district, as defined in Section 17D-3-102;
- 148 (vi) an independent entity, as defined in Section 63E-1-102;
- 149 (vii) a public corporation, as defined in Section 63E-1-102;
- 150 (viii) a public transit district, organized under Title 17B, Chapter 2a, Part 8, Public
- 151 Transit District Act;
- 152 (ix) a school district;
- 153 (x) a public school, including a charter school or other publicly funded school;
- 154 (xi) a state institution of higher education;
- 155 (xii) an entity that expends public funds; and
- 156 (xiii) each office, agency, or other division of an entity described in Subsections
- 157 (1)(a)(i) through (xii).

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

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

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

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

162 (c)(i) "Public property" means any real property, building, or structure owned or

163 leased by a local government entity.

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

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

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

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

175 **Section 4. Effective Date.**

176 This bill takes effect on May 7, 2025.