

1 HB306  
2 190469-1  
3 By Representatives Beckman, Polizos, Shiver, Ledbetter, Davis,  
4 Drake, Fincher, Wingo, Brown, Holmes (M), Hurst, Ball, Wood,  
5 Pettus, Whorton (R), Butler, Daniels, Farley, Sanderford,  
6 Black, Lindsey, Beech, McCampbell, Hollis, McClammy, Baker,  
7 Martin, Wadsworth, Faust, Nordgren, Moore (B) and Standridge  
8 RFD: Constitution, Campaigns and Elections  
9 First Read: 25-JAN-18

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8 SYNOPSIS: This bill would require the Department of  
9 Transportation or a county or municipal highway  
10 department that is responsible for the maintenance  
11 of the highways, roadways, and streets in this  
12 state to give notice to a candidate before the  
13 department removes a campaign sign of a certain  
14 size if it is within 150 days of an election.

15  
16 A BILL  
17 TO BE ENTITLED  
18 AN ACT

19  
20 Relating to campaign signs; to require the  
21 Department of Transportation or a county or municipal highway  
22 department to give notice to a candidate before the department  
23 removes a campaign sign of a certain size if it is within 150  
24 days of an election.

25 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

26 Section 1. (a) For the purposes of this act, the  
27 following terms shall have the following meanings:

1           (1) CAMPAIGN SIGN. Any sign, placard, card, poster,  
2 or other printed material advertising or otherwise relating to  
3 an election and subject to the identification requirements set  
4 forth in Section 17-5-12, Code of Alabama 1975, that is at  
5 least four feet in length on any side.

6           (2) DEPARTMENT. The Department of Transportation or  
7 a county or municipal highway department that is responsible  
8 for the maintenance of any highway, roadway, or street in this  
9 state.

10          (3) ERECT. To place, affix, attach, or in any way  
11 bring into being or establish.

12          (4) HIGHWAY, ROADWAY, or STREET. As the terms are  
13 defined by Section 32-1-1.1, Code of Alabama 1975.

14          (5) RIGHT-OF-WAY. As defined by Section 32-1-1.1,  
15 Code of Alabama 1975.

16          (b) Except as provided in subsection (e), if a  
17 campaign sign is erected in the right-of-way of a highway,  
18 roadway, or street in this state and a department requires the  
19 removal of the campaign sign, the department requiring the  
20 removal of the campaign sign shall contact the candidate,  
21 pursuant to subsection (c), at least 24 hours before the  
22 department intends to remove the campaign sign, request that  
23 the candidate remove the campaign sign by a certain specified  
24 time to be set by the department, and give the candidate  
25 notice that the department will remove and dispose of the  
26 campaign sign if the candidate has not removed the campaign

1 sign at the expiration of the specified time set by the  
2 department.

3 (c) For the purposes of contacting the candidate  
4 under subsection (b), the department shall contact the person,  
5 principal campaign committee, or political action committee  
6 identified on the campaign sign pursuant to Section 17-5-12,  
7 Code of Alabama 1975, and request the removal of the campaign  
8 sign.

9 (d) If a candidate does not remove a campaign sign  
10 within the specified time as requested by the department, at  
11 the expiration of the specified time, the department  
12 requesting the removal of the campaign sign may remove and  
13 dispose of the campaign sign in a manner that the department  
14 deems appropriate.

15 (e) This section shall apply only if it is within  
16 150 days of an election for a candidate whose sign is subject  
17 to removal.

18 Section 2. This act shall become effective  
19 immediately following its passage and approval by the  
20 Governor, or its otherwise becoming law.