

JAN 25 2017

A BILL FOR AN ACT

RELATING TO CAMPAIGN SIGNS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 11, Hawaii Revised Statutes, is amended
2 by adding a new section to subpart H of part XIII to be
3 appropriately designated and to read as follows:

4 "§11- Unlawful posting of campaign signs on public
5 property; lien. (a) It shall be unlawful for a person to post,
6 maintain, display, or erect on public property, any sign that
7 urges voters to vote for any candidate.

8 (b) For every violation of this section, it shall be the
9 responsibility of the candidate for whom the sign encourages
10 people to vote to remove the sign from public property.

11 (c) If:

12 (1) A candidate has received written notification from the
13 commission of the candidate's responsibility to remove
14 a sign from public property pursuant to this section;

15 (2) The sign is not removed within two weeks after receipt
16 of the written notification; and



1 (3) The candidate does not file an objection to removal
2 pursuant to subsection (d) within two weeks after
3 receipt of the written notification,
4 the candidate shall be subject to a fine of \$ _____ to be
5 assessed by the commission. The commission may place a lien on
6 the campaign account of the candidate for the full amount of the
7 fine. The commission shall remove any lien under this section
8 upon determination that the prohibited sign has been removed
9 from public property.

10 (d) A candidate that has received a written notification
11 of the candidate's responsibility to remove a sign from public
12 property pursuant to this section may file an objection to
13 removal of the sign with the commission if extenuating
14 circumstances prevent the candidate from removing the sign. The
15 commission shall review each objection to removal and determine
16 whether the candidate is unable to remove the sign due to
17 extenuating circumstances. The candidate shall not be
18 responsible for removing a contested sign, or be subject to fine
19 or lien:

20 (1) While the commission reviews the candidate's
21 objection; or



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1 (2) If the commission determines that the candidate is
2 unable to remove the sign.

3 (e) The commission shall adopt rules, pursuant to chapter
4 91, necessary for the implementation of this section."

5 SECTION 2. New statutory material is underscored.

6 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY: Clarence M. Miskin

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S.B. NO. 1153

Report Title:

Outdoor Advertising; Campaign Signs; Public Property; Campaign Spending Commission

Description:

Prohibits a person from posting, maintaining, displaying, or erecting any sign on public property that urges voters to vote for an election candidate. Designates the candidate that the sign urges voters to vote for as the party responsible for removing the sign. Allows the Campaign Spending Commission to impose fines for violations and place a lien against the campaign account of the candidate if the sign is not removed within 2 weeks of receipt of written notice. Allows the candidate to object to written notice of removal. Requires the Campaign Spending Commission to adopt rules.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

