

STATE OF OKLAHOMA

1st Session of the 47th Legislature (1999)

HOUSE BILL NO. 1204

By: Roberts

AS INTRODUCED

An Act relating to elections; requiring candidates to remove political signs within certain time period after General Election; providing for assessment of administrative fine; providing for notice and hearing; providing for enforcement of fine; providing authority for impoundment and disposal of signs; providing for distribution of fine; providing for municipal authority; defining term; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 16-124 of Title 26, unless there is created a duplication in numbering, reads as follows:

A. Political signs posted for candidates for federal, statewide, legislative, judicial or county office shall be removed within ten (10) days after the General Election.

B. Any candidate failing to remove such signage shall be subject, after notice and opportunity for a hearing, to an administrative fine of Twenty-five Dollars (\$25.00) per sign, to be assessed by the election board with whom the candidate filed the declaration of candidacy. The administrative fine may be enforced in the same manner in which civil judgments may be enforced.

C. Peace officers employed by any law enforcement agency having jurisdiction over the site where a political sign is located are authorized to impound any such signs, beginning on the eleventh day after the General Election, and deliver the signs to the appropriate election board. If any impounded signs are not reclaimed within thirty (30) days after the election or at the hearing provided for

in subsection B of this section, whichever is earlier, the signs may be disposed of by the board.

D. Any administrative fine collection shall be distributed as follows:

1. Fifty percent (50%) to the law enforcement agency that impounded the sign; and

2. Fifty percent (50%) to the election board. If the board is a county election board, the money shall be deposited in the county general fund, after the board deducts any costs for storage and disposal of signs and any costs associated with the hearing. If the board is the State Election Board, the money shall be deposited in the General Revenue Fund of the state, after the Board deducts any costs for storage and disposal of signs and any costs associated with the hearing.

E. Nothing in this section shall preclude a municipality from impounding signs, disposing of political signs, or assessing a fine for failure to remove political signs, pursuant to municipal ordinance.

F. As used in this section, "political sign" or "sign" means a temporary sign announcing or supporting political candidates or issues in connection with any national, state, county or local election. It does not include billboard signs or signs on vehicles.

SECTION 2. This act shall become effective November 1, 1999.

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