

HB 127 - AS INTRODUCED

2021 SESSION

21-0209

11/10

HOUSE BILL **127**

AN ACT relative to placement and removal of political advertising.

SPONSORS: Rep. Silber, Belk. 2

COMMITTEE: Election Law

ANALYSIS

This bill clarifies the circumstances under which political advertisements may be placed on public property.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struckthrough.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to placement and removal of political advertising.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Placement and Removal of Political Advertising. Amend RSA 664:17 to read as follows:

2 664:17 Placement and Removal of Political Advertising. No political advertising shall be placed
3 on or affixed to any [~~public property including highway rights-of-way or~~] private property without
4 the owner's consent. All political advertising shall be removed by the candidate no later than the
5 second Friday following the election unless the election is a primary and the advertising concerns a
6 candidate who is a winner in the primary. Signs shall not be placed on or affixed to utility poles or
7 highway signs. Political advertising may be placed within state-owned rights-of-way as long as the
8 advertising does not obstruct the safe flow of traffic [~~and the advertising is placed with the consent of~~
9 ~~the owner of the land over which the right-of-way passes~~]. No person shall remove, deface, or
10 knowingly destroy any political advertising which is placed on or affixed to public property or any
11 private property except for removal by the owner of the property, persons authorized by the owner of
12 the property, or a law enforcement officer removing improper advertising. Political advertising
13 placed on or affixed to any public property may be removed by state, city, or town maintenance or
14 law enforcement personnel. Political advertising removed prior to election day by state, city, or town
15 maintenance or law enforcement personnel shall be kept until one week after the election at a place
16 designated by the state, city, or town so that the candidate may retrieve the items. ***Consent to the***
17 ***placement of political advertising on public property, including state-owned property and***
18 ***highway rights-of-way, shall be presumed unless the property is posted with signs in the***
19 ***same manner as is prescribed in RSA 635:4 with the words "No Political Advertising."***

20 2 Effective Date. This act shall take effect 60 days after its passage.