

HOUSE BILL REPORT

HB 2371

As Passed House:

February 7, 2024

Title: An act relating to clarifying the rules surrounding the removal of political advertising.

Brief Description: Clarifying the rules surrounding the removal of political advertising.

Sponsors: Representatives Cheney and Walen.

Brief History:

Committee Activity:

State Government & Tribal Relations: 1/23/24, 1/30/24 [DP].

Floor Activity:

Passed House: 2/7/24, 97-0.

Brief Summary of Bill

- Defines "lawfully placed" for purposes of the prohibition on removing political advertisements to specify that an advertisement is not lawfully placed if it remains in place past any legal deadline for removal.

HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL RELATIONS

Majority Report: Do pass. Signed by 7 members: Representatives Ramos, Chair; Stearns, Vice Chair; Cheney, Ranking Minority Member; Christian, Assistant Ranking Minority Member; Gregerson, Low and Mena.

Staff: Jason Zolle (786-7124).

Background:

It is a misdemeanor under state law to remove or deface a lawfully placed political advertisement, including yard signs or billboards, without authorization. Misdemeanors are

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punishable by imprisonment in county jail for up to 90 days and a fine of up to \$1,000.

It is illegal to place a temporary political sign within the right-of-way of a state highway. Rules adopted by the Washington State Department of Transportation regulate temporary political signs located along primary system highways, e.g., on private property, outside of incorporated cities or towns or commercial or industrial areas. These signs must be removed within 10 days after an election, except that signs for a candidate who is successful in a primary may remain up until 10 days after the general election. Some jurisdictions also have their own rules for the removal of political signs after an election. For instance, Pierce County also requires political signs to be removed within 10 days after an election, with the same exception for successful primary candidates.

Summary of Bill:

A definition of "lawfully placed" is added to the statute: political advertising is not lawfully placed if it remains in place past any deadline for removal provided by law.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This is hopefully a noncontroversial bill about picking up litter. After election season, most candidates pick up their signs, but occasionally there are old signs left out that become cluttered in moss and weeds. It is technically illegal to pick up those signs because it would be theft. This bill respects and gives campaigns time to pick up their signs, but after the legal deadline to remove them, the signs are effectively treated as trash; people can pick them up and get rid of them accordingly.

(Opposed) None.

Persons Testifying: Representative Greg Cheney, prime sponsor.

Persons Signed In To Testify But Not Testifying: None.