

SENATE, No. 1416

STATE OF NEW JERSEY 214th LEGISLATURE

INTRODUCED FEBRUARY 11, 2010

Sponsored by:
Senator LORETTA WEINBERG
District 37 (Bergen)

SYNOPSIS

Prohibits display of political campaign signs on any public property or highway.

CURRENT VERSION OF TEXT

As introduced.



S1416 WEINBERG

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1 AN ACT concerning the display of political campaign signs in
2 certain places and supplementing chapter 34 of Title 19 of the
3 Revised Statutes.

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5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

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8 1. a. Notwithstanding any law, rule or regulation to the
9 contrary, a person shall not install, post, or in any manner display
10 on public property owned or maintained by a municipal, county, or
11 State government entity any advertisement, sign or printed
12 inducement that urges the public to vote in favor or against a
13 candidate for nomination or election to public office, features the
14 name of a candidate seeking nomination or election to a public
15 office, or calls on the public to vote in favor or against a State,
16 county, municipal or school district public question in an election.
17 For the purposes of this act, P.L. , c. (C.) (pending before the
18 Legislature as this bill), public property means any land, highway,
19 building, object, or any other property owned or maintained by any
20 State or local government department, agency, board, bureau,
21 commission, authority, board of education, institution of higher
22 education, or any other State or local government entity.

23 b. The public entity responsible for enforcing the provisions of
24 this act, P.L. , c. (C.) (pending before the Legislature as this
25 bill), pursuant to subsections c. and d. of this section, shall, when
26 any sign has been posted on its property in violation of subsection
27 a. of this section, notify the candidate whose name appears on the
28 sign, or the organization, group or individual that installed the sign,
29 that the sign has been posted in violation of this act. The notice
30 shall order the candidate, organization, group or individual to
31 remove the sign from public property immediately, and shall
32 indicate the penalty incurred for posting the sign and the subsequent
33 penalties that shall accrue for failure to remove the sign upon
34 receipt of the notice, as herein provided. Any candidate who, or
35 organization, group or individual that posts a sign in violation of
36 this act shall be liable for a penalty of \$25 per sign, and for an
37 additional penalty of \$25 per sign for each day the sign remains
38 posted on public property in violation of this act. Any penalty
39 imposed under this section may be collected with costs in a
40 summary proceeding pursuant to the "Penalty Enforcement Law of
41 1999," P.L.1999, c.274 (C.2A:58-10 et seq.). The Superior Court
42 and the municipal court shall have jurisdiction to enforce the
43 provisions of the "Penalty Enforcement Law of 1999" in connection
44 with this section.

45 c. Each county and municipal governing body shall designate,
46 by ordinance or resolution, the entity or entities in the county or
47 municipality, as the case may be, that shall be responsible for
48 identifying violations of subsection a. of this section, and for

1 notifying violators and enforcing the penalties imposed pursuant to
2 subsection b. of this section, with respect to the posting of signs on
3 public property owned or maintained by the respective municipality
4 or county. The proceeds of fines collected by the municipality or
5 county due to violations of this act shall be deposited in the general
6 fund of the respective municipality or county for general municipal
7 or county purposes.

8 d. Each State department or agency shall, pursuant to the
9 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
10 seq.), develop rules and regulations for the enforcement of the
11 provisions of this act with respect to property under the jurisdiction
12 of the respective department or agency. The proceeds of fines
13 collected by the State department or agency due to violations of this
14 act shall be transmitted to the State Treasurer for deposit into the
15 General Fund of the State.

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17 2. This act shall take effect immediately.

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STATEMENT

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22 This bill prohibits the posting or display of political signs on any
23 public property owned or maintained by a municipality, county, or
24 State department or agency. Under the bill, any candidate,
25 organization, group or individual who posts a political sign on
26 public property in violation of the provisions of the bill will be
27 fined \$25 for each illegal posting, and an additional \$25 per sign for
28 each day the sign remains posted on public property. The bill
29 defines "public property" as any land, highway, building, object, or
30 any other property owned or maintained by any State or local
31 government entity.

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33 The bill directs each municipality and county governing body to
34 designate, by ordinance or resolution, the entity or entities
35 responsible for monitoring and enforcing compliance with the bill
36 with respect to public property owned or maintained by the
37 respective municipality or county. The bill also directs each State
38 department or agency to develop rules and regulations for the
39 enforcement of the provisions of the bill with respect to property
40 owned or maintained by the State department or agency. The
41 collection of fines for violations of the bill would be subject to the
42 provisions of the "Penalty Enforcement Law of 1999," and the
43 proceeds would be used for general municipal, county, and State
purposes, as the case may be.