

Department of Legislative Services  
Maryland General Assembly  
2007 Session

**FISCAL AND POLICY NOTE**

Senate Bill 417 (Senators Miller and Kasemeyer)  
Education, Health, and Environmental Affairs

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**Candidate and Other Outdoor Signs - Removal and Enforcement**

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This bill requires the removal of campaign signs from a polling place and an area within 500 feet of a polling place immediately on the closing of the polls on election day. The bill exempts campaign signs erected or maintained on private property from specified State and local time limitations and prohibits erecting or maintaining an outdoor sign on a State highway right-of-way or highway median, unless otherwise provided for by law.

The bill takes effect July 1, 2007.

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**Fiscal Summary**

**State Effect:** The bill's requirements are not anticipated to materially affect State operations or finances. Any increase in fine revenues is expected to be minimal.

**Local Effect:** It is assumed that any enforcement costs incurred by local governments related to removing campaign signs from polling place locations would not materially affect local government expenditures. Any increase in fine revenues would depend on the number of violations and level of enforcement but cannot be reliably estimated at this time.

**Small Business Effect:** None.

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**Analysis**

**Bill Summary:** Campaign signs must be removed from the polls by the candidate or the candidate's designee. A candidate who has not removed the candidate's campaign signs from the area within 500 feet of a polling place, within 24 hours of the polls closing, is

subject to a fine of not more than \$500. Each individual failure to comply is a separate violation. A local board must report a violation to the State Administrator of Elections; by January 1 of each year, the administrator must report on the enforcement of the requirement that campaign signs be removed from polling places and surrounding areas to the Governor and the General Assembly.

The bill also provides that a person who violates specified State laws governing campaign signs in general is subject to a fine of not more than \$500 and that each individual failure to comply with those laws is a separate violation. By December 1 of each year, the State Highway Administrator must report on the enforcement of the specified laws to the Governor and the General Assembly.

**Current Law:** A person may not erect or maintain any outdoor sign outside the limits of any municipal corporation and within 500 feet of a State highway without a permit from the State Highway Administration. A permit is not required for a sign that advertises a candidate or the support or defeat of a proposition provided it complies with State election laws, public safety requirements, requirements applicable to outdoor signs along expressways and State highways that are part of the national federal-aid primary system, and all local restrictions and zoning requirements more restrictive than State law, including any time limitations. If there is not an applicable local time limitation, a sign may not be erected more than 45 days before an election and must be removed within 15 days after the general election or 15 days after the primary election if the candidate is not a candidate in the general election.

A violator of State law governing outdoor advertising is guilty of a misdemeanor and subject to a fine not exceeding \$500.

An electioneering boundary is set up jointly by an election judge from each principal political party as near as practicable to 100 feet from the entrance and exit of a polling place beyond which a person may not canvass, electioneer, or post any campaign material.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Somerset County, Montgomery County, Charles County, Frederick County, State Board of Elections, Maryland Department of Transportation, Department of Legislative Services

**Fiscal Note History:** First Reader - February 21, 2007  
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