

*See Book copy*

HOUSE FILE 455  
BY COMMITTEE ON STATE GOVERNMENT

MAR 9 1993  
Place On Calendar

(SUCCESSOR TO HF 245)

Passed House, Date (p.1024) 4-2-93 Passed Senate, Date \_\_\_\_\_  
Vote: Ayes 99 Nays 0 Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved May 13, 1994

**A BILL FOR**

1 An Act relating to placement of political yard signs on  
2 agricultural land, property leased to a corporation by a  
3 private individual, or property leased by a corporation to a  
4 private individual.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 455

1 Section 1. Section 56.14, Code 1993, is amended to read as  
2 follows:

3 56.14 POLITICAL ADVERTISEMENTS.

4 A person who causes the publication or distribution of  
5 published material ~~after July 17, 1984~~, designed to promote or  
6 defeat the nomination or election of a candidate for public  
7 office or the passage of a constitutional amendment or public  
8 measure shall include conspicuously on the published material  
9 the identity and address of the person responsible for the  
10 material. If the person responsible is an organization, the  
11 name of one officer of the organization shall appear on the  
12 material. However, if the organization is a committee which  
13 has filed a statement of organization under this chapter, only  
14 the name of the committee is required to be included on the  
15 published material. This section does not apply to the  
16 editorials or news articles of a newspaper or magazine which  
17 are not political advertisements. For the purpose of this  
18 section, "published material" means any newspaper, magazine,  
19 shopper, outdoor advertising facility, poster, yard sign  
20 including hand lettered signs, direct mailing, brochure, or  
21 any other form of printed general public political  
22 advertising; however, the identification need not be  
23 conspicuous on posters. This section requires that the  
24 identification on yard signs be in letters at least one inch  
25 high; however, if the yard sign is authorized by the  
26 candidate's committee or the candidate, no identification is  
27 required by this section. This section does not apply to  
28 bumper stickers, pins, buttons, pens, matchbooks, and similar  
29 small items upon which the inclusion of the disclaimer would  
30 be impracticable or to published material which is subject to  
31 federal regulations regarding a disclaimer requirement. Yard  
32 signs are subject to removal by highway authorities as  
33 provided in section 319.13. Notice may be provided to the  
34 chairperson of the appropriate county central committee if the  
35 highway authorities are unable to provide notice to the

1 candidate, candidate's committee, or political committee  
2 regarding the yard sign. This section does not prohibit the  
3 placement of yard signs on agricultural land owned by  
4 individuals or by a family farm operation as defined in  
5 section 9H.1, subsections 8, 9, and 10; does not prohibit the  
6 placement of yard signs on property owned by private  
7 individuals who have rented or leased the property to a  
8 corporation, if the prior written permission of the property  
9 owner is obtained; and does not prohibit the placement of yard  
10 signs on residential property owned by a corporation but  
11 rented or leased to a private individual if the prior  
12 permission of the renter or lessee is obtained. For the  
13 purposes of this chapter, "agricultural land" means  
14 agricultural land as defined in section 9H.1.

15 Sec. 2. Section 56.15, subsection 4, Code 1993, is amended  
16 by adding the following new unnumbered paragraph:

17 NEW UNNUMBERED PARAGRAPH. This section does not prohibit a  
18 family farm corporation, as defined in section 9H.1, from  
19 placing a yard sign on agricultural land, and does not  
20 prohibit the placement of yard signs, with the prior written  
21 permission of the individual property owner, on property  
22 rented or leased by a corporation from private individuals,  
23 subject to the requirements of section 56.14. This section  
24 also does not prohibit the placement of a yard sign on  
25 residential property that is owned by a corporation, but  
26 rented or leased to a private individual, if the prior  
27 permission of the renter or lessee is obtained.

28 EXPLANATION

29 Section 1 allows a family farmer who is otherwise qualified  
30 to do so to place a political candidate's yard sign on  
31 agricultural land. The section also does not prohibit the  
32 placement of yard signs on land leased to or by a corporation  
33 if the prior permission is obtained from the individual  
34 property owner or the individual who leases or rents the  
35 property to a corporation.

1 Section 2 allows a family farm corporation to place a  
2 political candidate's yard sign on agricultural land. The  
3 section also allows yard signs to be placed on lands owned by  
4 a private individual that are leased to a corporation and  
5 allows yard signs to be placed on residential property owned  
6 by a corporation but rented or leased to a private individual  
7 if the permission of the private individual is obtained.

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HOUSE FILE 455

H-3369

1 Amend House File 455 as follows:  
2 1. Page 2, by striking lines 2 through 27, and  
3 inserting the following: "regarding the yard sign.  
4 Sec. \_\_\_\_ Section 56.15, Code 1993, is amended by  
5 adding the following new subsection:  
6 NEW SUBSECTION. 2A. Notwithstanding the  
7 provisions of subsection 1 or 2, the posting of a yard  
8 sign supporting or opposing a candidate for public  
9 office on property owned, rented, leased, or otherwise  
10 under the control of a corporation or other entity  
11 regulated under subsection 1 shall not be construed to  
12 be an unlawful contribution to a committee. However,  
13 the corporation or other entity shall make the same  
14 property equally available for the posting of yard  
15 signs to other candidates for the same office."  
16 2. Title page, by striking lines 2 through 4, and  
17 inserting the following: "land owned, rented, or  
18 leased by a corporation or other similar entity."  
19 3. By renumbering as necessary.

By RUNNING of Linn

H-3369 FILED MARCH 19, 1993

**WITHDRAWN**  
4-2-93

HOUSE FILE 455

H-3592

1 Amend House File 455 as follows:  
2 1. Page 1, line 31, by inserting after the word  
3 "requirement." the following: "Yard signs shall not  
4 be placed on any property which adjoins a city,  
5 county, or state roadway sooner than forty-five days  
6 preceding a primary or general election and shall be  
7 removed within seven days after the primary or general  
8 election, in which the name of the particular  
9 candidate or ballot issue described on the yard sign  
10 appears on the ballot."

By WEIGEL of Chickasaw

H-3592 FILED MARCH 31, 1993

(P. 1024) *Adopted 4-2-92*

HOUSE FILE 455

H-3616

1 Amend House File 455 as follows:  
2 1. Page 1, lines 19 and 20, by striking the words  
3 "yard sign including hand lettered signs," and  
4 inserting the following: "~~yard-sign-including-hand~~  
5 ~~lettered-signs~~".  
6 2. Page 1, by striking lines 23 through 27 and  
7 inserting the following: "conspicuous on posters.  
8 ~~This-section-requires-that-the-identification-on-yard~~  
9 ~~signs-be-in-letters-at-least-one-inch-high,-however,~~  
10 ~~if-the-yard-sign-is-authorized-by-the-candidate's~~  
11 ~~committee-or-the-candidate,-no-identification-is~~  
12 ~~required-by-this-section.~~ This section does not apply  
13 to yard signs,".

By GRUBBS of Scott

H-3616 FILED APRIL 1, 1993

(P.1023) *Adopted* 4-2-93

HOUSE FILE 455

H-3646

1 Amend House File 455 as follows:  
2 1. Page ~~455~~ ~~37~~, by inserting after the figure  
3 "319.13." the following: "The placement or erection  
4 of yard signs shall be exempt from the requirements of  
5 chapter 480."

By GILL of Woodbury  
RENAUD of Polk

H-3646 FILED APRIL 1, 1993

(P.1024) *Adopted* 4-2-93

4-6-93 Senate - State Gov.  
4-8-93 Senate - Do Pass  
(P 808) 3-23-94 Senate - Do Pass  
(P. 1348) 4/18/94 MTR by Bartz  
HOUSE FILE 455  
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO HF 245)

(As Amended and Passed by the House April 2, 1993)

Passed House, Date \_\_\_\_\_ Passed Senate, Date 4/18/94  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes 50 Nays 0  
Approved May 13 1994

**A BILL FOR**

1 An Act relating to placement of political yard signs on  
2 agricultural land, property leased to a corporation by a  
3 private individual, or property leased by a corporation to a  
4 private individual.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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House Amendments \_\_\_\_\_

1 Section 1. Section 56.14, Code 1993, is amended to read as  
2 follows:

3 56.14 POLITICAL ADVERTISEMENTS.

4 A person who causes the publication or distribution of  
5 published material ~~after July 17, 1984,~~ designed to promote or  
6 defeat the nomination or election of a candidate for public  
7 office or the passage of a constitutional amendment or public  
8 measure shall include conspicuously on the published material  
9 the identity and address of the person responsible for the  
10 material. If the person responsible is an organization, the  
11 name of one officer of the organization shall appear on the  
12 material. However, if the organization is a committee which  
13 has filed a statement of organization under this chapter, only  
14 the name of the committee is required to be included on the  
15 published material. This section does not apply to the  
16 editorials or news articles of a newspaper or magazine which  
17 are not political advertisements. For the purpose of this  
18 section, "published material" means any newspaper, magazine,  
19 shopper, outdoor advertising facility, poster, yard-sign  
20 including hand-lettered signs, direct mailing, brochure, or  
21 any other form of printed general public political  
22 advertising; however, the identification need not be  
23 conspicuous on posters. This section requires that the  
24 identification on yard signs be in letters at least one inch  
25 high, however, if the yard sign is authorized by the  
26 candidate's committee or the candidate, no identification is  
27 required by this section. This section does not apply to yard  
28 signs, bumper stickers, pins, buttons, pens, matchbooks, and  
29 similar small items upon which the inclusion of the disclaimer  
30 would be impracticable or to published material which is  
31 subject to federal regulations regarding a disclaimer  
32 requirement. Yard signs shall not be placed on any property  
33 which adjoins a city, county, or state roadway sooner than  
34 forty-five days preceding a primary or general election and  
35 shall be removed within seven days after the primary or



1 general election, in which the name of the particular  
2 candidate or ballot issue described on the yard sign appears  
3 on the ballot. Yard signs are subject to removal by highway  
4 authorities as provided in section 319.13. The placement or  
5 erection of yard signs shall be exempt from the requirements  
6 of chapter 480. Notice may be provided to the chairperson of  
7 the appropriate county central committee if the highway  
8 authorities are unable to provide notice to the candidate,  
9 candidate's committee, or political committee regarding the  
10 yard sign. This section does not prohibit the placement of  
11 yard signs on agricultural land owned by individuals or by a  
12 family farm operation as defined in section 9H.1, subsections  
13 8, 9, and 10; does not prohibit the placement of yard signs on  
14 property owned by private individuals who have rented or  
15 leased the property to a corporation, if the prior written  
16 permission of the property owner is obtained; and does not  
17 prohibit the placement of yard signs on residential property  
18 owned by a corporation but rented or leased to a private  
19 individual if the prior permission of the renter or lessee is  
20 obtained. For the purposes of this chapter, "agricultural  
21 land" means agricultural land as defined in section 9H.1.

22 Sec. 2. Section 56.15, subsection 4, Code 1993, is amended  
23 by adding the following new unnumbered paragraph:

24 NEW UNNUMBERED PARAGRAPH. This section does not prohibit a  
25 family farm corporation, as defined in section 9H.1, from  
26 placing a yard sign on agricultural land, and does not  
27 prohibit the placement of yard signs, with the prior written  
28 permission of the individual property owner, on property  
29 rented or leased by a corporation from private individuals,  
30 subject to the requirements of section 56.14. This section  
31 also does not prohibit the placement of a yard sign on  
32 residential property that is owned by a corporation, but  
33 rented or leased to a private individual, if the prior  
34 permission of the renter or lessee is obtained.

35

## HOUSE FILE 455

S-3687

- 1 Amend House File 455, as amended, passed, and  
2 reprinted by the House, as follows:
- 3 1. Page 2, lines 5 and 6, by striking the words  
4 "exempt from the requirements of chapter 480" and  
5 inserting the following: "subject to the restrictions  
6 on the placement or erection of other signs under  
7 chapters 306B, 306C, 319, 321, 480, and 657".
- 8 2. Page 2, by inserting after line 21 the follow-  
9 ing: "However, a municipal corporation may adopt an  
10 ordinance which addresses the time, place, size, and  
11 manner of placement of political yard signs."
- 12 3. Page 2, line 30, by striking the word "This"  
13 and inserting the following: "Subject to the  
14 requirements of section 56.14, this".
- 15 4. Page 2, by inserting after line 34 the  
16 following:  
17 "Sec. \_\_\_\_ . Section 306C.22, Code 1993, is amended  
18 to read as follows:  
19 306C.22 POLITICAL SIGNS.  
20 It shall be lawful to place political signs on  
21 private property with permission of the owner or  
22 person in charge of the property at any time during  
23 the period beginning forty-five days before the date  
24 of the election to which the signs pertain and ending  
25 on the day of the election, even if such placement  
26 would otherwise be a violation of this chapter. This  
27 section shall not be construed to authorize placement  
28 of any political sign at any location where it may,  
29 because of its size, location, content or coloring  
30 constitute a traffic hazard or a detriment to traffic  
31 safety by obstructing the vision of drivers, by  
32 detracting from the visibility of any traffic-control  
33 device or by being confused with an authorized  
34 traffic-control device. The exemption from provisions  
35 of this chapter granted by this section for political  
36 signs shall expire on the seventh day following the  
37 date of the election to which the signs pertain. A  
38 ~~municipal corporation shall adopt no ordinance which~~  
39 ~~prohibits the placement of political signs on private~~  
40 ~~property as permitted by this section during the~~  
41 ~~period beginning twenty-one days before the date of~~  
42 ~~the election to which the signs pertain, nor requires~~  
43 ~~removal of the political signs so placed less than~~  
44 ~~seven days after the date of that election."~~
- 45 5. By renumbering as necessary.

By JIM LIND

S-3687 FILED APRIL 29, 1993

WITHDRAWN

3-31-94

(P. 958)

HOUSE FILE 455

S-5401

1 Amend House File 455, as amended, passed, and  
2 reprinted by the House as follows:  
3 1. By striking page 1, line 32 through page 2,  
4 line 3, and inserting the following: "requirement.  
5 Yard signs are subject to removal by highway".

By MERLIN E. BARTZ

S-5401 FILED MARCH 31, 1994

*Last 4/18/94 (p. 1332)*

HOUSE FILE 455

S-5729

1 Amend House File 455, as amended, passed, and  
2 reprinted by the House, as follows:  
3 1. Page 2, line 3, by inserting after the word  
4 "ballot." the following: "Yard signs may, however, be  
5 placed on property adjoining a city or county roadway  
6 in any county which on the effective date of this Act  
7 does not prohibit the placement of yard signs sooner  
8 than forty-five days preceding a primary or general  
9 election."

By MERLIN E. BARTZ

S-5729 FILED APRIL 18, 1994

HOUSE FILE 455

S-5730

1 Amend House File 455, as amended, passed, and  
2 reprinted by the House, as follows:  
3 1. Page 2, line 3, by inserting after the word  
4 "ballot." the following: "However, if a county does  
5 not prohibit the placement of yard signs on property  
6 adjoining a city or county roadway sooner than forty-  
7 five days preceding a primary or general election on  
8 the effective date of this Act, the forty-five-day  
9 requirement shall not apply in that county."

By MERLIN E. BARTZ

S-5730 FILED APRIL 18, 1994

HOUSE FILE 455

AN ACT

RELATING TO PLACEMENT OF POLITICAL YARD SIGNS ON AGRICULTURAL LAND, PROPERTY LEASED TO A CORPORATION BY A PRIVATE INDIVIDUAL, OR PROPERTY LEASED BY A CORPORATION TO A PRIVATE INDIVIDUAL.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 56.14, Code 1993, is amended to read as follows:

56.14 POLITICAL ADVERTISEMENTS.

A person who causes the publication or distribution of published material ~~after July 1, 1984~~ designed to promote or defeat the nomination or election of a candidate for public office or the passage of a constitutional amendment or public measure shall include conspicuously on the published material the identity and address of the person responsible for the material. If the person responsible is an organization, the name of one officer of the organization shall appear on the material. However, if the organization is a committee which has filed a statement of organization under this chapter, only the name of the committee is required to be included on the published material. This section does not apply to the editorials or news articles of a newspaper or magazine which are not political advertisements. For the purpose of this section, "published material" means any newspaper, magazine, shopper, outdoor advertising facility, poster, ~~yard-sign including hand-lettered signs~~, direct mailing, brochure, or any other form of printed general public political advertising; however, the identification need not be conspicuous on posters. ~~This section requires that the identification on yard signs be in letters at least one inch high; however, if the yard sign is authorized by the~~

~~candidate's committee or the candidate, no identification is required by this section.~~ This section does not apply to yard signs, bumper stickers, pins, buttons, pens, matchbooks, and similar small items upon which the inclusion of the disclaimer would be impracticable or to published material which is subject to federal regulations regarding a disclaimer requirement. Yard signs shall not be placed on any property which adjoins a city, county, or state roadway sooner than forty-five days preceding a primary or general election and shall be removed within seven days after the primary or general election, in which the name of the particular candidate or ballot issue described on the yard sign appears on the ballot. Yard signs are subject to removal by highway authorities as provided in section 319.13. The placement or erection of yard signs shall be exempt from the requirements of chapter 480. Notice may be provided to the chairperson of the appropriate county central committee if the highway authorities are unable to provide notice to the candidate, candidate's committee, or political committee regarding the yard sign. This section does not prohibit the placement of yard signs on agricultural land owned by individuals or by a family farm operation as defined in section 9H.1, subsections 8, 9, and 10; does not prohibit the placement of yard signs on property owned by private individuals who have rented or leased the property to a corporation, if the prior written permission of the property owner is obtained; and does not prohibit the placement of yard signs on residential property owned by a corporation but rented or leased to a private individual if the prior permission of the renter or lessee is obtained. For the purposes of this chapter, "agricultural land" means agricultural land as defined in section 9H.1.

Sec. 2. Section 56.15, subsection 4, Code 1993, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. This section does not prohibit a family farm corporation, as defined in section 9H.1, from

placing a yard sign on agricultural land, and does not prohibit the placement of yard signs, with the prior written permission of the individual property owner, on property rented or leased by a corporation from private individuals, subject to the requirements of section 56.14. This section also does not prohibit the placement of a yard sign on residential property that is owned by a corporation, but rented or leased to a private individual, if the prior permission of the renter or lessee is obtained.

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HAROLD VAN MAANEN  
Speaker of the House

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LEONARD L. BOSWELL  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 455, Seventy-fifth General Assembly.

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ELIZABETH ISAACSON  
Chief Clerk of the House

Approved May 13, 1994

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TERRY E. BRANSTAD  
Governor