

# HOUSE BILL NO. 1364

## 97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES BAHR (Sponsor), SPENCER,  
KOENIG AND ELLINGER (Co-sponsors).

4835L.011

D. ADAM CRUMBLISS, Chief Clerk

### AN ACT

To amend chapter 442, RSMo, by adding thereto one new section relating to restrictive covenants.

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 442, RSMo, is amended by adding thereto one new section, to be known as section 442.404, to read as follows:

**442.404. 1. Except as otherwise provided by this section, a property owners' association shall not enforce or adopt a restrictive covenant that prohibits a property owner from displaying on the owner's property one or more signs advertising a political candidate or ballot item for an election:**

**(1) On or after the ninetieth day before the date of the election to which the sign relates; or**

**(2) Before the tenth day after that election date.**

**2. This section does not prohibit the enforcement or adoption of a covenant that:**

**(1) Requires a sign to be ground-mounted; or**

**(2) Limits a property owner to displaying only one sign for each candidate or ballot item.**

**3. This section does not prohibit the enforcement or adoption of a covenant that prohibits a sign that:**

**(1) Contains roofing material, siding, paving materials, flora, one or more balloons or lights, or any other similar building, landscaping, or nonstandard decorative component;**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17           **(2) Is attached in any way to plant material, a traffic control device, a light, a**  
18 **trailer, a vehicle, or any other existing structure or object;**

19           **(3) Includes the painting of architectural surfaces;**

20           **(4) Threatens the public health or safety;**

21           **(5) Is larger than four feet by four feet;**

22           **(6) Violates a law;**

23           **(7) Contains language, graphics, or any display that would be offensive to the**  
24 **ordinary person; or**

25           **(8) Is accompanied by music or other sounds or by streamers or is otherwise**  
26 **distracting to motorists.**

27           **4. A property owners' association may remove a sign displayed in violation of a**  
28 **restrictive covenant permitted by this section.**

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