

HCS HB 1364 -- RESTRICTIVE COVENANTS

SPONSOR: Bahr

COMMITTEE ACTION: Voted "Do Pass" by the Committee on General Laws by a vote of 14 to 0.

This bill specifies that any deed restriction, covenant, or similar binding agreement running with the land in a planned community or other residential subdivision must not prohibit or have the effect of prohibiting display of political signs.

The bill authorizes homeowners' associations to adopt reasonable rules subject to any applicable statutes or ordinances regarding the time, size, place, number, and manner of display of political signs.

The bill authorizes homeowners' associations to remove a political sign without liability, if the sign is placed within the common ground, threatens the public health or safety, violates any applicable statute or ordinance, is accompanied by sound or music, or if any other materials are attached to it. Homeowners' associations are prohibited from removing a political sign from the property of a homeowner or imposing any fine or penalty upon the homeowner unless it has given the homeowner three days written notice which must specifically identify the rule and nature of the violation.

PROPONENTS: Supporters say that this bill allows homeowners to post political signs so long as the signs do not violate an ordinance or statute or threaten public safety or health.

Testifying for the bill was Representative Bahr.

OPPONENTS: Opponents say they would like more flexibility in the definition of a homeowners' association.

Testifying against the bill was Community Associations Institute.