

# SENATE BILL No. 64

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 32-21-13.

**Synopsis:** Display of political signs. Prohibits a homeowners association from adopting or enforcing certain restrictive covenants or homeowners association rules concerning the display of political signs.

**Effective:** July 1, 2010.

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January 5, 2010, read first time and referred to Committee on Elections.

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PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2009 Regular and Special Sessions of the General Assembly.

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## SENATE BILL No. 64



A BILL FOR AN ACT to amend the Indiana Code concerning property.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 32-21-13 IS ADDED TO THE INDIANA CODE
- 2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2010]:
- 4 **Chapter 13. Display of Political Signs on Property Subject to**
- 5 **Restrictive Covenants or Homeowners Association Rules**
- 6 **Sec. 1. The definitions in IC 3-5-2 apply to this chapter.**
- 7 **Sec. 2. As used in this chapter, "rules" refers to any of the**
- 8 **following:**
- 9 (1) **A restrictive covenant.**
- 10 (2) **A homeowners association rule.**
- 11 **Sec. 3. As used in this chapter, "sign" refers only to a sign**
- 12 **advocating:**
- 13 (1) **the election or defeat of one (1) or more candidates for:**
- 14 (A) **nomination; or**
- 15 (B) **election;**
- 16 **to a public office;**
- 17 (2) **support for or opposition to:**



1                   (A) a political party; or  
 2                   (B) a political party's candidates; or  
 3                   (3) the approval or disapproval of a public question.  
 4           Sec. 4. Except as provided in section 5 of this chapter, a  
 5 homeowners association may not adopt or enforce a rule that  
 6 prohibits a member of the homeowners association from displaying  
 7 a sign on the member's property during the period:  
 8                   (1) beginning thirty (30) days before; and  
 9                   (2) ending five (5) days after;  
 10 the date of the election to which the sign relates.  
 11           Sec. 5. A homeowners association may adopt and enforce rules  
 12 relating to a sign described in section 3 of this chapter if the rules  
 13 do any of the following:  
 14                   (1) Restrict the size of a sign if the rule permits a homeowner  
 15 to display a sign that is at least as large as signs commonly  
 16 displayed during election campaigns.  
 17                   (2) Restrict the number of signs that may be displayed if the  
 18 rule permits a homeowner to display a reasonable number of  
 19 signs.  
 20                   (3) Restrict the locations where a sign may be displayed.  
 21 However, a restriction under this subdivision may not  
 22 prohibit the display of a sign:  
 23                   (A) in a window on the homeowner's property; or  
 24                   (B) on the ground that is part of the homeowner's  
 25 property.  
 26           Sec. 6. A homeowners association may remove a sign that  
 27 violates the rules permitted by this chapter.

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