

House _____ Amendment NO. _____

Offered By

1 AMEND House Bill No. 2593, Page 2, Section 71.990, Line 44, by inserting after said section and
2 line the following:

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4 "442.404. 1. As used in this section, the following terms shall mean:

5 (1) "Homeowners' association", a nonprofit corporation or unincorporated association of
6 homeowners created under a declaration to own and operate portions of a planned community or
7 other residential subdivision that has the power under the declaration to assess association members
8 to pay the costs and expenses incurred in the performance of the association's obligations under the
9 declaration or tenants-in-common with respect to the ownership of common ground or amenities of
10 a planned community or other residential subdivision. This term shall not include a condominium
11 unit owners' association as defined and provided for in subdivision (3) of section 448.1-103 or a
12 residential cooperative;

13 (2) "Political signs", any fixed, ground-mounted display in support of or in opposition to a
14 person seeking elected office or a ballot measure excluding any materials that may be attached.

15 2. (1) No deed restrictions, covenants, or similar binding agreements running with the land
16 shall prohibit or have the effect of prohibiting the display of political signs.

17 ~~[3.]~~ (2) A homeowners' association has the authority to adopt reasonable rules, subject to
18 any applicable statutes or ordinances, regarding the time, size, place, number, and manner of display
19 of political signs.

20 ~~[4.]~~ (3) A homeowners' association may remove a political sign without liability if such sign
21 is placed within the common ground, threatens the public health or safety, violates an applicable
22 statute or ordinance, is accompanied by sound or music, or if any other materials are attached to the
23 political sign. Subject to the foregoing, a homeowners' association shall not remove a political sign
24 from the property of a homeowner or impose any fine or penalty upon the homeowner unless it has
25 given such homeowner three days after providing written notice to the homeowner, which notice
26 shall specifically identify the rule and the nature of the violation.

27 3. (1) No deed restrictions, covenants, or similar binding agreements running with the land
28 shall prohibit or have the effect of prohibiting the display of sale signs on the property of a
29 homeowner or property owner including, but not limited to, any yard on the property, or nearby
30 street corners.

Action Taken _____ Date _____

1 (2) A homeowners' association has the authority to adopt reasonable rules, subject to any
2 applicable statutes or ordinances, regarding the time, size, place, number, and manner of display of
3 sale signs.

4 (3) A homeowners' association may remove a sale sign without liability if such sign is
5 placed within the common ground, threatens the public health or safety, violates an applicable
6 statute or ordinance, is accompanied by sound or music, or if any other materials are attached to the
7 sale sign. Subject to the foregoing, a homeowners' association shall not remove a sale sign from the
8 property of a homeowner or property owner or impose any fine or penalty upon the homeowner or
9 property owner unless it has given such homeowner or property owner three business days after the
10 homeowner or property owner receives written notice from the homeowners' association, which
11 notice shall specifically identify the rule and the nature of the alleged violation."; and

12
13 Further amend said bill by amending the title, enacting clause, and intersectional references
14 accordingly.