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**By: Delegate Kagan**

Introduced and read first time: January 30, 1997

Assigned to: Economic Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Condominiums, Homeowners Associations, and Cooperative Housing Corporations -**  
3 **Political Speech**

4 FOR the purpose of specifying that a condominium, homeowners association, or  
5 cooperative housing corporation may not prohibit a resident from displaying certain  
6 political signs except in common elements; and generally relating to free political  
7 expression in condominiums, homeowners associations, and cooperative housing  
8 corporations.

9 BY adding to

10 Article - Real Property  
11 Section 11-111.2 and 11B-111.2  
12 Annotated Code of Maryland  
13 (1996 Replacement Volume and 1996 Supplement)

14 BY adding to

15 Article - Corporations and Associations  
16 Section 5-6B-18.1  
17 Annotated Code of Maryland  
18 (1993 Replacement Volume and 1996 Supplement)

19 Preamble

20 WHEREAS, The right to free speech is a fundamental right guaranteed to the  
21 citizens of this State by both the United States Constitution and the Maryland  
22 Declaration of Rights; and

23 WHEREAS, The right of political expression is one of the most basic rights of free  
24 speech; and

25 WHEREAS, The restriction by homeowners associations, condominiums, and  
26 cooperative housing corporations, of the political speech of its residents is contrary to the  
27 principles of free speech; now, therefore,

28 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
29 MARYLAND, That the Laws of Maryland read as follows:

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1           **Article - Real Property**

2 11-111.2.

3           A RECORDED COVENANT OR RESTRICTION, A PROVISION IN A DECLARATION,  
4 OR A PROVISION OF THE BYLAWS OR RULES OF A CONDOMINIUM MAY NOT  
5 PROHIBIT THE DISPLAY OF POLITICAL SIGNS OR OTHER CAMPAIGN-RELATED  
6 ADVERTISEMENTS EXCEPT IN COMMON ELEMENTS.

7 11B-111.2.

8           A RECORDED COVENANT OR RESTRICTION, A PROVISION IN A DECLARATION,  
9 OR A PROVISION OF THE BYLAWS OR RULES OF A HOMEOWNERS ASSOCIATION MAY  
10 NOT PROHIBIT THE DISPLAY OF POLITICAL SIGNS OR OTHER CAMPAIGN-RELATED  
11 ADVERTISEMENTS EXCEPT IN COMMON ELEMENTS.

12           **Article - Corporations and Associations**

13 5-6B-18.1.

14           A PROVISION IN A DECLARATION, OR A PROVISION IN THE BYLAWS OR RULES  
15 OF A COOPERATIVE HOUSING CORPORATION MAY NOT RESTRICT THE DISPLAY OF  
16 POLITICAL SIGNS OR OTHER CAMPAIGN-RELATED ADVERTISEMENTS EXCEPT IN  
17 COMMON ELEMENTS.

18           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
19 October 1, 1997.