

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL NO. 36

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Kagan” and substitute “Delegates Kagan and Goldwater”; in line 3, strike “Speech” and substitute “Signs”; in line 5, after “prohibit” insert “or restrict”; in line 6, strike “in certain common places” and substitute “under certain circumstances”; and in line 7, strike “free”.

AMENDMENT NO. 2

On page 1, strike in their entirety lines 19 through 27, inclusive.

On page 2, strike in their entirety lines 5 through 10, inclusive, and substitute:

“(A) IN THIS SECTION, “CANDIDATE SIGN” MEANS A SIGN ON BEHALF OF A CANDIDATE FOR PUBLIC OFFICE OR A SLATE OF CANDIDATES FOR PUBLIC OFFICE.

(B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A RECORDED COVENANT OR RESTRICTION, A PROVISION IN A DECLARATION, OR A PROVISION IN THE BYLAWS OR RULES OF A CONDOMINIUM MAY NOT RESTRICT OR PROHIBIT THE DISPLAY OF:

(1) A CANDIDATE SIGN; OR

(2) A SIGN THAT ADVERTISES THE SUPPORT OR DEFEAT OF ANY PROPOSITION SUBMITTED TO VOTERS IN ACCORDANCE WITH ARTICLE 33 OF THE CODE.

(C) A RECORDED COVENANT OR RESTRICTION, A PROVISION IN A DECLARATION, OR A PROVISION IN THE BYLAWS OR RULES OF A CONDOMINIUM

(Over)

MAY RESTRICT THE DISPLAY OF A CANDIDATE SIGN OR A SIGN THAT ADVERTISES THE SUPPORT OR DEFEAT OF ANY PROPOSITION:

(1) IN THE COMMON ELEMENTS;

(2) IN ACCORDANCE WITH PROVISIONS OF FEDERAL, STATE, AND LOCAL LAW; OR

(3) IF A LIMITATION TO THE TIME PERIOD DURING WHICH SIGNS MAY BE DISPLAYED IS NOT SPECIFIED BY A LAW OF THE JURISDICTION IN WHICH THE CONDOMINIUM IS LOCATED, TO A TIME PERIOD NOT LESS THAN:

(I) 30 DAYS BEFORE THE PRIMARY ELECTION, GENERAL ELECTION, OR VOTE ON THE PROPOSITION; AND

(II) 7 DAYS AFTER THE PRIMARY ELECTION, GENERAL ELECTION, OR VOTE ON THE PROPOSITION.”;

strike in their entirety lines 12 through 17, inclusive, and substitute:

“(A) IN THIS SECTION, “CANDIDATE SIGN” MEANS A SIGN ON BEHALF OF A CANDIDATE FOR PUBLIC OFFICE OR A SLATE OF CANDIDATES FOR PUBLIC OFFICE.

(B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A RECORDED COVENANT OR RESTRICTION, A PROVISION IN A DECLARATION, OR A PROVISION IN THE BYLAWS OR RULES OF A HOMEOWNERS ASSOCIATION MAY NOT RESTRICT OR PROHIBIT THE DISPLAY OF:

(1) A CANDIDATE SIGN; OR

(2) A SIGN THAT ADVERTISES THE SUPPORT OR DEFEAT OF ANY PROPOSITION SUBMITTED TO THE VOTERS IN ACCORDANCE WITH ARTICLE 33 OF THE CODE.

(C) A RECORDED COVENANT OR RESTRICTION, A PROVISION IN A DECLARATION, OR A PROVISION IN THE BYLAWS OR RULES OF A HOMEOWNERS ASSOCIATION MAY RESTRICT THE DISPLAY OF A CANDIDATE SIGN OR A SIGN THAT ADVERTISES THE SUPPORT OR DEFEAT OF ANY PROPOSITION:

(1) IN THE COMMON AREAS;

(2) IN ACCORDANCE WITH PROVISIONS OF FEDERAL, STATE, AND LOCAL LAW; OR

(3) IF A LIMITATION TO THE TIME PERIOD DURING WHICH SIGNS MAY BE DISPLAYED IS NOT SPECIFIED BY A LAW OF THE JURISDICTION IN WHICH THE HOMEOWNERS ASSOCIATION IS LOCATED, TO A TIME PERIOD NOT LESS THAN:

(I) 30 DAYS BEFORE THE PRIMARY ELECTION, GENERAL ELECTION, OR VOTE ON THE PROPOSITION; AND

(II) 7 DAYS AFTER THE PRIMARY ELECTION, GENERAL ELECTION, OR VOTE ON THE PROPOSITION.”;

and strike in their entirety lines 20 through 24, inclusive, and substitute:

“(A) IN THIS SECTION, “CANDIDATE SIGN” MEANS A SIGN ON BEHALF OF A CANDIDATE FOR PUBLIC OFFICE OR A SLATE OF CANDIDATES FOR PUBLIC OFFICE.

(B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A RECORDED COVENANT OR RESTRICTION, A PROVISION IN A DECLARATION, OR A PROVISION IN THE BYLAWS OR RULES OF A COOPERATIVE HOUSING CORPORATION MAY NOT PROHIBIT OR RESTRICT THE DISPLAY OF:

(1) A CANDIDATE SIGN; OR

(2) A SIGN THAT ADVERTISES THE SUPPORT OR DEFEAT OF ANY

(Over)

PROPOSITION SUBMITTED TO THE VOTERS IN ACCORDANCE WITH ARTICLE 33 OF THE CODE.

(C) A RECORDED COVENANT OR RESTRICTION, A PROVISION IN A DECLARATION, OR A PROVISION IN THE BYLAWS OR RULES OF A COOPERATIVE HOUSING CORPORATION MAY RESTRICT THE DISPLAY OF A CANDIDATE SIGN OR A SIGN THAT ADVERTISES THE SUPPORT OR DEFEAT OF ANY PROPOSITION:

(1) IN ANY AREAS CONSTITUTING THOSE PORTIONS OF A COOPERATIVE PROJECT POSSESSED IN COMMON BY THE MEMBERS;

(2) IN ACCORDANCE WITH PROVISIONS OF FEDERAL, STATE, AND LOCAL LAW; OR

(3) IF A LIMITATION TO THE TIME PERIOD DURING WHICH SIGNS MAY BE DISPLAYED IS NOT SPECIFIED BY A LAW GOVERNING THE JURISDICTION IN WHICH THE COOPERATIVE HOUSING CORPORATION IS LOCATED, TO A TIME PERIOD NOT LESS THAN:

(I) 30 DAYS BEFORE THE PRIMARY ELECTION, GENERAL ELECTION, OR VOTE ON THE PROPOSITION; AND

(II) 7 DAYS AFTER THE PRIMARY ELECTION, GENERAL ELECTION, OR VOTE ON THE PROPOSITION.”.