

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 855

(Delegates Holmes and Healey)

Government, Labor, and Elections

Judicial Proceedings

**Common Ownership Communities – Candidate or Proposition Signs – Display
Period**

This emergency bill alters statutory provisions authorizing a cooperative housing corporation, condominium, or homeowners association (HOA) (commonly referred to as common ownership communities or COCs) to regulate the display of candidate or proposition signs by limiting the display of signs to a specified time period. Subject to existing provisions, the bill authorizes COCs to limit the display to a period beginning no earlier than 45 days before the start of early voting or, if early voting is not conducted, no earlier than 45 days before the primary election, general election, or vote on the proposition.

Fiscal Summary

State Effect: The bill does not affect State finances or operations.

Local Effect: The bill does not affect local government finances or operations.

Small Business Effect: None.

Analysis

Bill Summary/Current Law: Generally, State statute includes the Maryland Condominium Act, the Maryland Homeowners Association Act, and the Maryland Cooperative Housing Corporation Act, all of which regulate various aspects of COC operations.

A “candidate sign” means a sign supporting a candidate or slate of candidates for public office. Generally, certain documents governing COC operations may not restrict or prohibit the display of candidate signs or signs advocating for or against ballot questions.

However, COCs may restrict the display of candidate signs (1) within common elements/areas; (2) in accordance with applicable federal, State, and local law; or (3) if a limitation is not otherwise specified by a law governing the relevant jurisdiction, to a time period no less than 30 days before the primary election, general election, or vote on the proposition and 7 days after the primary election, general election, or vote on the proposition. Under the bill, COCs may limit the display of candidate signs to a period of no less than 45 days prior to the commencement of early voting or no less than 45 days prior to the election or vote if there is no early voting.

For more information on condominiums, HOAs, and cooperative housing corporations, commonly known as COCs, see the **Appendix – Common Ownership Communities**.

Additional Information

Recent Prior Introductions: Similar legislation has been introduced within the last three years. See SB 817 and HB 363 of 2025.

Designated Cross File: SB 758 (Senator Watson, *et al.*) - Judicial Proceedings.

Information Source(s): Office of the Attorney General (Consumer Protection Division); Judiciary (Administrative Office of the Courts); Department of Legislative Services

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Appendix – Common Ownership Communities

When a person purchases a single-family home, condominium, or an interest in a cooperative housing corporation, the person may also be required to join an association of owners, which is intended to act in the common interests of all the homeowners, condominium unit owners, or cooperative owners in the community. Collectively, these associations are often referred to as common ownership communities (COCs). In Maryland, a growing number of newly constructed or newly converted residences are located in some form of a COC. Because registration of the various COCs is not required statewide, the exact number of COCs in Maryland is unknown. However, the Foundation for Community Association Research estimated that there were 7,200 community associations with an estimated 1.1 million residents in these associations in the State in 2024.

The affairs of a condominium are governed by a council of unit owners, which comprises all unit owners. Among other powers, the council of unit owners has the power to impose assessments on the unit owners to pay common expenses. A council of unit owners may delegate its powers to a board of directors, officers, or a managing agent. Condominiums are governed under Title 11 of the Real Property Article.

Many new housing developments are subject to a homeowner's association (HOA) that is created by a governing document and has the authority to impose mandatory fees on lots in the development in connection with the provision of services or for the benefit of the lots, the lot owners, or the common areas. HOAs are governed under Title 11B of the Real Property Article.

A cooperative housing corporation or "cooperative" is a corporation that owns real property. A resident of a cooperative does not own an individual unit; instead, the person owns an interest in the corporation, which leases the unit to the person for residential use. Cooperatives are governed by the laws in Title 5, Subtitle 6B of the Corporations and Associations Article.

Condominiums and HOAs may be authorized by their governing documents to impose liens on units or lots to collect unpaid assessments or fees. In a cooperative, the governing documents usually provide for the collection of delinquent fees, and evictions for outstanding fees are generally pursued by way of a landlord-tenant action.