

1 SB42
2 206017-2
3 By Senator Elliott
4 RFD: Governmental Affairs
5 First Read: 11-JAN-22

1 SB42

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4 ENROLLED, An Act,

5 Relating to property; to provide that a homeowner's
6 association or condominium association may not prohibit the
7 displaying of the flag of the State of Alabama on residential
8 property within the association, with exceptions.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

10 Section 1. (a) As used in this act, the following
11 terms shall have the following meanings:

12 (1) CONDOMINIUM ASSOCIATION. The entity responsible
13 for the administration and management of condominium property.

14 (2) HOMEOWNER'S ASSOCIATION. As defined under
15 35-20-2, Code of Alabama 1975.

16 (3) UNIT OWNERS' ASSOCIATION. As defined under
17 Section 35-8A-301, Code of Alabama 1975.

18 (b) Except as provided in subsection (c), a
19 condominium association, homeowner's association, or unit
20 owners' association may not adopt or enforce any policy, or
21 enter into any agreement, that would restrict or prevent a
22 member of the association from displaying the flag of the
23 State of Alabama within the association on property which the
24 member has a separate ownership interest or a right to
25 exclusive possession or use.

1 (c) Nothing in this act shall be considered to
2 prevent any reasonable restriction on the time, place, or
3 manner of displaying the flag of the State of Alabama
4 necessary to protect a substantial interest of the condominium
5 association, homeowner's association, or unit owners'
6 association.

7 Section 2. This act shall become effective
8 immediately following its passage and approval by the
9 Governor, or its otherwise becoming law.

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB42
Senate 01-FEB-22
I hereby certify that the within Act originated in and passed
the Senate.

Patrick Harris,
Secretary.

House of Representatives
Amended and passed 17-MAR-22

Senate concurred in House amendment 29-MAR-22

By: Senator Elliott