

# HOUSE BILL 908

N1

9lr2614

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By: **Delegates Boteler, Buckel, Cox, Grammer, Mangione, McComas, Metzgar, and Otto**

Introduced and read first time: February 8, 2019

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Condominiums and Homeowners Associations – Candidate or Proposition Signs**  
3 **– Notice of Restrictions**

4 FOR the purpose of requiring the governing body of a condominium to send a certain  
5 written notice regarding the display of candidate or proposition signs to all unit  
6 owners under certain circumstances; requiring the governing body of a homeowners  
7 association to send a certain written notice regarding the display of candidate or  
8 proposition signs to all lot owners under certain circumstances; and generally  
9 relating to candidate or proposition signs in condominiums and homeowners  
10 associations.

11 BY repealing and reenacting, with amendments,  
12 Article – Real Property  
13 Section 11–111.2 and 11B–111.2  
14 Annotated Code of Maryland  
15 (2015 Replacement Volume and 2018 Supplement)

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

18 **Article – Real Property**

19 11–111.2.

20 (a) In this section, “candidate sign” means a sign on behalf of a candidate for  
21 public office or a slate of candidates for public office.

22 (b) Except as provided in subsection (c) of this section, a recorded covenant or  
23 restriction, a provision in a declaration, or a provision in the bylaws or rules of a  
24 condominium may not restrict or prohibit the display of:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) A candidate sign; or

2 (2) A sign that advertises the support or defeat of any question submitted  
3 to voters in accordance with the Election Law Article.

4 (c) A recorded covenant or restriction, a provision in a declaration, or a provision  
5 in the bylaws or rules of a condominium may restrict the display of a candidate sign or a  
6 sign that advertises the support or defeat of any proposition:

7 (1) In the common elements;

8 (2) In accordance with provisions of federal, State, and local law; or

9 (3) If a limitation to the time period during which signs may be displayed  
10 is not specified by a law of the jurisdiction in which the condominium is located, to a time  
11 period not less than:

12 (i) 30 days before the primary election, general election, or vote on  
13 the proposition; and

14 (ii) 7 days after the primary election, general election, or vote on the  
15 proposition.

16 **(D) NOT LESS THAN 90 DAYS BEFORE EACH PRIMARY ELECTION AND EACH**  
17 **GENERAL ELECTION IN THE STATE, THE GOVERNING BODY SHALL SEND WRITTEN**  
18 **NOTICE TO ALL UNIT OWNERS OF THE RESTRICTIONS UNDER THIS SECTION.**

19 11B-111.2.

20 (a) In this section, “candidate sign” means a sign on behalf of a candidate for  
21 public office or a slate of candidates for public office.

22 (b) Except as provided in subsection (c) of this section, a recorded covenant or  
23 restriction, a provision in a declaration, or a provision in the bylaws or rules of a  
24 homeowners association may not restrict or prohibit the display of:

25 (1) A candidate sign; or

26 (2) A sign that advertises the support or defeat of any question submitted  
27 to the voters in accordance with the Election Law Article.

28 (c) A recorded covenant or restriction, a provision in a declaration, or a provision  
29 in the bylaws or rules of a homeowners association may restrict the display of a candidate  
30 sign or a sign that advertises the support or defeat of any proposition:

31 (1) In the common areas;

1           (2)    In accordance with provisions of federal, State, and local law; or

2           (3)    If a limitation to the time period during which signs may be displayed  
3 is not specified by a law of the jurisdiction in which the homeowners association is located,  
4 to a time period not less than:

5                   (i)    30 days before the primary election, general election, or vote on  
6 the proposition; and

7                   (ii)   7 days after the primary election, general election, or vote on the  
8 proposition.

9           **(D)    NOT LESS THAN 90 DAYS BEFORE EACH PRIMARY ELECTION AND EACH**  
10 **GENERAL ELECTION IN THE STATE, THE GOVERNING BODY SHALL SEND WRITTEN**  
11 **NOTICE TO ALL LOT OWNERS OF THE RESTRICTIONS UNDER THIS SECTION.**

12           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 October 1, 2019.