
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2866 Session of
2020

INTRODUCED BY METZGAR, MILLARD, ROTHMAN, MALONEY, BROOKS,
BERNSTINE, MOUL, ZIMMERMAN AND WARNER, SEPTEMBER 15, 2020

REFERRED TO COMMITTEE ON URBAN AFFAIRS, SEPTEMBER 15, 2020

AN ACT

1 Amending Title 68 (Real and Personal Property) of the
2 Pennsylvania Consolidated Statutes, in management of
3 condominiums, further providing for powers of unit owners'
4 association; in management of cooperatives, further providing
5 for powers of association; and, in management of planned
6 communities, further providing for power of unit owners'
7 association.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Sections 3302, 4302 and 5302 of Title 68 of the
11 Pennsylvania Consolidated Statutes are amended by adding
12 subsections to read:

13 § 3302. Powers of unit owners' association.

14 * * *

15 (c) Restrictions on certain activities.--

16 (1) Notwithstanding any other provision of this section,
17 an association may not:

18 (i) Prohibit a unit owner from displaying within the
19 boundaries of the unit a political sign during the two-
20 week period prior to an election.

1 (ii) Prohibit a unit owner from constructing a shed
2 within the boundaries of the unit if the unit owner
3 obtains the necessary permit from the municipality for
4 construction of the shed. The association may impose
5 reasonable limitations on the color and placement, but
6 not the size, of a shed constructed by a unit owner
7 within the boundaries of the unit.

8 (2) If, after the effective date of this subsection, the
9 bylaws of the association are inconsistent with this
10 subsection, the executive board shall effect a corrective
11 amendment to the bylaws under section 3306(c) (relating to
12 bylaws) that removes the inconsistency. The corrective
13 amendment shall be made simultaneously with the first
14 amendment to the bylaws that otherwise is made after the
15 effective date of this subsection.

16 § 4302. Powers of association.

17 * * *

18 (c) Restrictions on certain activities.--

19 (1) Notwithstanding any other provision of this section,
20 an association may not:

21 (i) Prohibit a proprietary lessee from displaying
22 within the boundaries of the unit a political sign during
23 the two-week period prior to an election.

24 (ii) Prohibit a proprietary lessee from constructing
25 a shed within the boundaries of the unit if the
26 proprietary lessee obtains the necessary permit from the
27 municipality for construction of the shed. The
28 association may impose reasonable limitations on the
29 color and placement, but not the size, of a shed
30 constructed by a proprietary lessee within the boundaries

1 of the unit.

2 (2) If, after the effective date of this subsection, the
3 bylaws of the association are inconsistent with this
4 subsection, the executive board shall effect a corrective
5 amendment to the bylaws under section 4306(c) (relating to
6 bylaws) that removes the inconsistency. The corrective
7 amendment shall be made simultaneously with the first
8 amendment to the bylaws that otherwise is made after the
9 effective date of this subsection.

10 § 5302. Power of unit owners' association.

11 * * *

12 (c) Restrictions on certain activities.--

13 (1) Notwithstanding any other provision of this section,
14 an association may not:

15 (i) Prohibit a unit owner from displaying within the
16 boundaries of the unit a political sign during the two-
17 week period prior to an election.

18 (ii) Prohibit a unit owner from constructing a shed
19 within the boundaries of the unit if the unit owner
20 obtains the necessary permit from the municipality for
21 construction of the shed. The association may impose
22 reasonable limitations on the color and placement, but
23 not the size, of a shed constructed by a unit owner
24 within the boundaries of the unit.

25 (2) If, after the effective date of this subsection, the
26 bylaws of the association are inconsistent with this
27 subsection, the executive board shall effect a corrective
28 amendment to the bylaws under section 5306(c) (relating to
29 bylaws) that removes the inconsistency. The corrective
30 amendment shall be made simultaneously with the first

1 amendment to the bylaws that otherwise is made after the
2 effective date of this subsection.

3 Section 2. This act shall take effect in 60 days.