

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

HOUSE BILL 1560

By: Miller (Ken)

AS INTRODUCED

An Act relating to property; prohibiting the restriction of displaying certain items by members of certain associations; specifying method of displaying political signs under certain circumstances; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 531 of Title 60, unless there is created a duplication in numbering, reads as follows:

Notwithstanding any provision in the declaration or bylaws, an owner or association shall not prohibit any of the following:

1. The outdoor display of the American flag by an association member on the property of that member if the American flag is displayed in a manner consistent with 4 U.S.C. Sections 4 through 10 of the federal flag code. The association may adopt reasonable rules regarding the placement and manner of display of the American flag, including size and location of flagpoles; or

2. The indoor or outdoor display of a political sign by an association member on the property of the member, except that an association may prohibit the display of political signs earlier than forty-five days (45) before the day of an election and later than seven (7) days after an election day. An association may regulate the size and number of political signs that may be placed on the property of a member if the regulation of the association is no more restrictive than any applicable city, town, or county ordinance that

regulates the size and number of political signs on residential property. If the city, town, or county in which the property is located does not regulate the size and number of political signs on residential property, the association shall permit at least one political sign with the maximum dimensions of twenty-four (24) inches by twenty-four (24) inches on the property of the member. For the purposes of this paragraph, "political sign" means a sign that attempts to influence the outcome of an election including, but not limited to, supporting a candidate for public office, the recall of a public officer, or supporting or opposing the passage of a ballot measure, question or proposition.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 858 of Title 60, unless there is created a duplication in numbering, reads as follows:

Notwithstanding any provision in the covenants and restrictions, an owner or association shall not prohibit any of the following:

1. The outdoor display of the American flag by an association member on the property of that member if the American flag is displayed in a manner consistent with 4 U.S.C. Sections 4 through 10 of the federal flag code. The association may adopt reasonable rules regarding the placement and manner of display of the American flag, including size and location of flagpoles; or

2. The indoor or outdoor display of a political sign by an association member on the property of the member, except that an association may prohibit the display of political signs earlier than forty-five days (45) before the day of an election and later than seven (7) days after an election day. An association may regulate the size and number of political signs that may be placed on the property of a member if the regulation of the association is no more restrictive than any applicable city, town, or county ordinance that regulates the size and number of political signs on residential property. If the city, town, or county in which the property is

located does not regulate the size and number of political signs on residential property, the association shall permit at least one political sign with the maximum dimensions of twenty-four (24) inches by twenty-four (24) inches on the property of the member. For the purposes of this paragraph, "political sign" means a sign that attempts to influence the outcome of an election including, but not limited to, supporting a candidate for public office, the recall of a public officer, or supporting or opposing the passage of a ballot measure, question or proposition.

SECTION 3. This act shall become effective November 1, 2005.

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