Conference Engrossed

FILED

JANICE K. BREWER
SECRETARY OF STATE

State of Arizona
Senate
Forty-eighth Legislature
First Regular Session
2007

CHAPTER 228

SENATE BILL 1062

AN ACT

AMENDING SECTIONS 33-1261 AND 33-1808, ARIZONA REVISED STATUTES; RELATING TO CONDOMINIUMS AND PLANNED COMMUNITIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 33-1261, Arizona Revised Statutes, is amended to read:

33-1261. Flag display; for sale signs; applicability

A. Notwithstanding any provision in the condominium documents, an association shall not prohibit the outdoor display of any of the following:

1. The American flag or an official or replica of a flag of the United States army, navy, air force, marine corps or coast guard by a unit owner on that unit owner's property if the American flag or military flag is displayed in a manner consistent with the federal flag code (P.L. 94-344; 90 Stat. 810; 4 United States Code sections 4 through 10).

2. The POW/MIA flag.

3. The Arizona state flag.

4. An Arizona Indian nations flag.

B. The association shall adopt reasonable rules and regulations regarding the placement and manner of display of the American flag, the military flag, the POW/MIA flag, the Arizona state flag or an Arizona Indian nations flag. The association rules may regulate the location and size of flagpoles but shall not prohibit the installation of a flagpole.

C. NOTWITHSTANDING ANY PROVISION IN THE CONDOMINIUM DOCUMENTS, AN ASSOCIATION SHALL NOT PROHIBIT THE INDOOR OR OUTDOOR DISPLAY OF A FOR SALE SIGN AND A SIGN RIDER BY A UNIT OWNER ON THAT OWNER'S PROPERTY, INCLUDING A SIGN THAT INDICATES THE UNIT OWNER IS OFFERING THE PROPERTY FOR SALE BY OWNER. THE SIZE OF A SIGN OFFERING A PROPERTY FOR SALE SHALL BE IN CONFORMANCE WITH THE INDUSTRY STANDARD SIZE SIGN, WHICH SHALL NOT EXCEED EIGHTEEN BY TWENTY-FOUR INCHES, AND THE INDUSTRY STANDARD SIZE SIGN RIDER, WHICH SHALL NOT EXCEED SIX BY TWENTY-FOUR INCHES.

~~C.~~ D. This section does not apply to timeshare plans or associations that are subject to chapter 20 of this title.

Sec. 2. Section 33-1808, Arizona Revised Statutes, is amended to read:

33-1808. Flag display; political signs; for sale signs

A. Notwithstanding any provision in the community documents, an association shall not prohibit the outdoor display of any of the following:

1. The American flag or an official or replica of a flag of the United States army, navy, air force, marine corps or coast guard by an association member on that member's property if the American flag or military flag is displayed in a manner consistent with the federal flag code (P.L. 94-344; 90 Stat. 810; 4 United States Code sections 4 through 10).

2. The POW/MIA flag.

3. the Arizona state flag.

4. An Arizona Indian nations flag.

B. The association shall adopt reasonable rules and regulations regarding the placement and manner of display of the American flag, the military flag, the POW/MIA flag, the Arizona state flag or an Arizona Indian

nations flag. The association rules may regulate the location and size of flagpoles but shall not prohibit the installation of a flagpole.

C. Notwithstanding any provision in the community documents, an association shall not prohibit the indoor or outdoor display of a political sign by an association member on that member's property, except that an association may prohibit the display of political signs earlier than forty-five days before the day of an election and later than seven days after an election day. An association may regulate the size and number of political signs that may be placed on a member's property if the association's regulation 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 inches by twenty-four inches on a member's property. For the purposes of this paragraph, "political sign" means a sign that attempts to influence the outcome of an election, including supporting or opposing the recall of a public officer or supporting or opposing the circulation of a petition for a ballot measure, question or proposition or the recall of a public officer.

D. NOTWITHSTANDING ANY PROVISION IN THE COMMUNITY DOCUMENTS, AN ASSOCIATION SHALL NOT PROHIBIT THE INDOOR OR OUTDOOR DISPLAY OF A FOR SALE SIGN AND A SIGN RIDER BY AN ASSOCIATION MEMBER ON THAT MEMBER'S PROPERTY, INCLUDING A SIGN THAT INDICATES THE MEMBER IS OFFERING THE PROPERTY FOR SALE BY OWNER. THE SIZE OF A SIGN OFFERING A PROPERTY FOR SALE SHALL BE IN CONFORMANCE WITH THE INDUSTRY STANDARD SIZE SIGN, WHICH SHALL NOT EXCEED EIGHTEEN BY TWENTY-FOUR INCHES, AND THE INDUSTRY STANDARD SIZE SIGN RIDER, WHICH SHALL NOT EXCEED SIX BY TWENTY-FOUR INCHES.

APPROVED BY THE GOVERNOR MAY 24, 2007.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 24, 2007.