

HOUSE AMENDMENT NO. ____
TO
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Offered By

AMEND House Amendment No. ____ to House Committee Substitute for House Bill No. 1682,
Page 1, Line 7, by deleting said line and inserting in lieu thereof the following:

"occupancy permits.

442.404. 1. As used in this section, the following terms shall mean:

(1) "Homeowners' association", a nonprofit corporation or unincorporated association of homeowners created under a declaration to own and operate portions of a planned community or other residential subdivision that has the power under the declaration to assess association members to pay the costs and expenses incurred in the performance of the association's obligations under the declaration or tenants-in-common with respect to the ownership of common ground or amenities of a planned community or other residential subdivision. This term shall not include a condominium unit owners' association as defined and provided for in subdivision (3) of section 448.1-103 or a residential cooperative;

(2) "Political signs", any fixed, ground-mounted display in support of or in opposition to a person seeking elected office or a ballot measure excluding any materials that may be attached.

2. (1) No deed restrictions, covenants, or similar binding agreements running with the land shall prohibit or have the effect of prohibiting the display of political signs.

~~[3.]~~ (2) A homeowners' association has the authority to adopt reasonable rules, subject to any applicable statutes or ordinances, regarding the time, size, place, number, and manner of display of political signs.

~~[4.]~~ (3) A homeowners' association may remove a political sign without liability if such sign is placed within the common ground, threatens the public health or safety, violates an applicable statute or ordinance, is accompanied by sound or music, or if any other materials are attached to the political sign. Subject to the foregoing, a homeowners' association shall not remove a political sign from the property of a homeowner or impose any fine or penalty upon the homeowner unless it has given such homeowner three days after providing written notice to the homeowner, which notice shall specifically identify the rule and the nature of the violation.

3. (1) No deed restrictions, covenants, or similar binding agreements running with the land shall prohibit or have the effect of prohibiting the display of sale signs on the property of a homeowner or nearby street corners.

(2) A homeowners' association has the authority to adopt reasonable rules, subject to any applicable statutes or ordinances, regarding the time, size, place, number, and manner of display of sale signs.

(3) A homeowners' association may remove a sale sign without liability if such sign is

Action Taken _____ Date _____

1 placed within the common ground, threatens the public health or safety, violates an applicable
2 statute or ordinance, is accompanied by sound or music, or if any other materials are attached to the
3 sale sign. Subject to the foregoing, a homeowners' association shall not remove a sale sign from the
4 property of a homeowner or impose any fine or penalty upon the homeowner unless it has given
5 such homeowner three days after providing written notice to the homeowner, which notice shall
6 specifically identify the rule and the nature of the violation."; and" and
7

8 Further amend said bill by amending the title, enacting clause, and intersectional references
9 accordingly.

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11 THIS AMENDMENT AMENDS 3449H02.02H.