



**ARIZONA STATE SENATE**  
*Fifty-Fifth Legislature, Second Regular Session*

FACT SHEET FOR H.B. 2158

homeowners' associations; political; community activity

Purpose

Prohibits a condominium unit owners association (COA) or a planned community association (HOA) from restricting an owner's ability to display an association-specific political sign, with outlined rules and exceptions, peacefully assembling in common areas, inviting a political candidate or a guest to speak to an assembly or posting notices regarding assemblies in common areas.

Background

A COA and HOA may not prohibit the indoor or outdoor display of a political sign by an owner on their property, except if it is more than 71 days before a primary election or more than 15 days after a general election for candidates who advanced from the primary election to the general election. A COA and HOA may regulate the size and number of political signs that may be placed on an owner's property, as long as the regulation is not more restrictive than any applicable city, town or county ordinance regulating political signs. If there is no municipal or county regulation of political signs, a COA and an HOA may only limit the aggregate total dimensions of all political signs on an owner's property to nine square feet. COAs and HOAs may not require political signs to be commercially produced or regulate the number of candidates or issues supported or opposed on a political sign.

COAs and HOAs may not prohibit door-to-door political activity, including activity relating to candidates, initiatives, referendums or recall on property normally open to visitors within the COA or HOA, with certain exceptions.

A *political sign* is a sign that attempts to influence the outcome of an election, including supporting or opposing the recall of a public officer or the circulation of a ballot measure petition (A.R.S. §§ [33-1261](#) and [33-1808](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Prohibits a COA or HOA from prohibiting or unreasonably restricting an owner's indoor or outdoor display of an association-specific political sign on the owner's property.
2. Specifies, for a condominium, that an owner's property includes any limited common elements for a unit that are doors, walls or patios or other limited common elements that touch the unit, other than the roof.

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3. Allows a COA or HOA to adopt reasonable rules regarding the placement, location and manner of display of an association-specific political sign and prohibits a COA or HOA from:
  - a) prohibiting the display of association-specific political signs between the date that the association provides written or absentee ballots to owners and three days after the condominium or HOA election;
  - b) limiting the number of association-specific signs, except for the aggregate total dimensions of all association-specific signs on an owner's property to a maximum of nine square feet;
  - c) requiring association-specific political signs to be commercially produced or professionally manufactured;
  - d) prohibiting the use of both sides of association-specific political signs;
  - e) regulating the number of candidates supported or opposed or the number of COA or HOA board of directors (board) members supported or opposed in a recall, or the number of ballot measures supported or opposed on an association-specific political sign; or
  - f) making any other regulations regarding the content of an association-specific political sign, except for a prohibition on the use of profanity and discriminatory text, images or content based on race, color, religion, sex, familial status or national origin as prescribed by federal or state fair housing laws.
4. Prohibits a COA or HOA from prohibiting or unreasonably restricting an owner's ability to peacefully assemble and use common areas of the COA or HOA, if done in compliance with reasonable restrictions for the use of that property adopted by the board.
5. Allows an individual owner or a group of owners to assemble to discuss matters related to a COA or HOA, including a board election or recall, potential or actual ballot issues or revisions to the appropriate documents, property maintenance or safety issues or any other matters.
6. Allows an owner to invite one political candidate or guest to speak to an assembly of owners about matters related to the respective condominium or planned community.
7. Prohibits a COA or HOA from prohibiting an owner from posting notices regarding assemblies on bulletin boards located on the common elements or within common element facilities.
8. Asserts that an assembly of owners does not constitute an official COA or HOA meeting unless the meeting, is noticed and convened as prescribed in the community documents and pursuant to law.
9. Defines an *association-specific political sign* as a sign that supports or opposes a candidate for the board or the recall of a board member or a condominium or planned community ballot measure that requires a vote of the COA or HOA owners.
10. Makes technical and conforming changes.
11. Becomes effective on the general effective date.

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House Action

GE	1/26/22	DPA	13-0-0-0
3 <sup>rd</sup> Read	2/14/22		56-0-4

Prepared by Senate Research

March 10, 2022

MH/HW/slp