

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)

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

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

4 33-1261. Flag display; for sale signs; applicability

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

7 1. The American flag or an official or replica of a flag of the United
8 States army, navy, air force, marine corps or coast guard by a unit owner on
9 that unit owner's property if the American flag or military flag is displayed
10 in a manner consistent with the federal flag code (P.L. 94-344; 90 Stat. 810;
11 4 United States Code sections 4 through 10).

12 2. The POW/MIA flag.

13 3. The Arizona state flag.

14 4. An Arizona Indian nations flag.

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

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

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

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

31 33-1808. Flag display; political signs; for sale signs

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

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

39 2. The POW/MIA flag.

40 3. the Arizona state flag.

41 4. An Arizona Indian nations flag.

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

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

3 C. Notwithstanding any provision in the community documents, an
4 association shall not prohibit the indoor or outdoor display of a political
5 sign by an association member on that member's property, except that an
6 association may prohibit the display of political signs earlier than
7 forty-five days before the day of an election and later than seven days after
8 an election day. An association may regulate the size and number of
9 political signs that may be placed on a member's property if the
10 association's regulation is no more restrictive than any applicable city,
11 town or county ordinance that regulates the size and number of political
12 signs on residential property. If the city, town or county in which the
13 property is located does not regulate the size and number of political signs
14 on residential property, the association shall permit at least one political
15 sign with the maximum dimensions of twenty-four inches by twenty-four inches
16 on a member's property. For the purposes of this paragraph, "political sign"
17 means a sign that attempts to influence the outcome of an election, including
18 supporting or opposing the recall of a public officer or supporting or
19 opposing the circulation of a petition for a ballot measure, question or
20 proposition or the recall of a public officer.

21 D. NOTWITHSTANDING ANY PROVISION IN THE COMMUNITY DOCUMENTS, AN
22 ASSOCIATION SHALL NOT PROHIBIT THE INDOOR OR OUTDOOR DISPLAY OF A FOR SALE
23 SIGN AND A SIGN RIDER BY AN ASSOCIATION MEMBER ON THAT MEMBER'S PROPERTY,
24 INCLUDING A SIGN THAT INDICATES THE MEMBER IS OFFERING THE PROPERTY FOR SALE
25 BY OWNER. THE SIZE OF A SIGN OFFERING A PROPERTY FOR SALE SHALL BE IN
26 CONFORMANCE WITH THE INDUSTRY STANDARD SIZE SIGN, WHICH SHALL NOT EXCEED
27 EIGHTEEN BY TWENTY-FOUR INCHES, AND THE INDUSTRY STANDARD SIZE SIGN RIDER,
28 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.

Passed the House April 9, 2007,

by the following vote: 52 Ayes,

3 Nays, 5 Not Voting

[Signature]
Speaker of the House

[Signature]
Chief Clerk of the House

Passed the Senate February 19, 2007,

by the following vote: 28 Ayes,

1 Nays, 1 Not Voting

[Signature]
President of the Senate

[Signature]
Secretary of the Senate

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR**

This Bill was received by the Governor this
_____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of

_____, 20____,

at _____ o'clock _____ M.

Governor of Arizona

S.B. 1062

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE**

This Bill was received by the Secretary of State
this _____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary of State

HOUSE FINAL PASSAGE
as per Joint Conference

Passed the House May 17, 20 07,
by the following vote: 43 Ayes,
4 Nays, 13 Not Voting

[Signature]
Speaker of the House
Pro Tempore
[Signature]
Chief Clerk of the House

SENATE FINAL PASSAGE
as per Joint Conference

Passed the Senate May 8, 20 07,
by the following vote: 27 Ayes,
0 Nays, 3 Not Voting

[Signature]
President of the Senate
[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor

this 22nd day of May, 2007,

at 10:24 o'clock A. M.

[Signature]
Secretary to the Governor

Approved this 24 day of
May, 20 07,

at 9:45 o'clock P. M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 24 day of May, 2007,

at 4:20 o'clock P. M.

[Signature]
Secretary of State

S.B. 1062