

Senate Engrossed

FILED

**KEN BENNETT
SECRETARY OF STATE**

State of Arizona
Senate
Forty-ninth Legislature
First Regular Session
2009

CHAPTER 60

SENATE BILL 1148

AN ACT

AMENDING TITLE 33, CHAPTER 4, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTION 33-441; RELATING TO DEED RESTRICTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 33, chapter 4, article 3, Arizona Revised Statutes,
3 is amended by adding section 33-441, to read:

4 33-441. For sale signs; restrictions unenforceable

5 A. A COVENANT, RESTRICTION OR CONDITION CONTAINED IN ANY DEED,
6 CONTRACT, SECURITY AGREEMENT OR OTHER INSTRUMENT AFFECTING THE TRANSFER OR
7 SALE OF ANY INTEREST IN REAL PROPERTY SHALL NOT BE APPLIED TO PROHIBIT THE
8 INDOOR OR OUTDOOR DISPLAY OF A FOR SALE SIGN AND A SIGN RIDER BY A PROPERTY
9 OWNER ON THAT PERSON'S PROPERTY, INCLUDING A SIGN THAT INDICATES THE PERSON
10 IS OFFERING THE PROPERTY FOR SALE BY OWNER. THE SIZE OF A SIGN OFFERING A
11 PROPERTY FOR SALE SHALL BE IN CONFORMANCE WITH THE INDUSTRY STANDARD SIZE
12 SIGN, WHICH SHALL NOT EXCEED EIGHTEEN BY TWENTY-FOUR INCHES, AND THE INDUSTRY
13 STANDARD SIZE SIGN RIDER, WHICH SHALL NOT EXCEED SIX BY TWENTY-FOUR INCHES.

14 B. THIS SECTION APPLIES TO ANY COVENANT, RESTRICTION OR CONDITION
15 WITHOUT REGARD TO THE DATE THE COVENANT, RESTRICTION OR CONDITION WAS
16 CREATED, SIGNED OR RECORDED. THIS SECTION DOES NOT APPLY TO TIMESHARE
17 PROPERTY AND TIMESHARE INTEREST AS DEFINED IN SECTION 33-2202.

18 C. THIS SECTION DOES NOT APPLY TO A COVENANT, RESTRICTION OR CONDITION
19 IN A DEED, CONTRACT, SECURITY AGREEMENT OR OTHER INSTRUMENT AFFECTING THE
20 TRANSFER OR SALE OF AN INTEREST IN REAL PROPERTY THAT DOES NOT PROHIBIT OR
21 RESTRICT THE DISPLAY OF A FOR SALE SIGN OR A SIGN RIDER ON THE REAL PROPERTY.

APPROVED BY THE GOVERNOR JULY 10, 2009.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JULY 10, 2009.

Passed the House June 29, 2009

by the following vote: 54 Ayes,

0 Nays, 6 Not Voting

[Signature]
Speaker of the House

[Signature]
Chief Clerk of the House

Passed the Senate June 18, 2009

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
1st day of July, 2009,

at 8:53 o'clock A. M.

[Signature]
Secretary to the Governor

Approved this 10th day of
July, 2009,

at 9:52 o'clock A. M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State
this 10 day of July, 2009.

at 12:30 o'clock P. M.

[Signature]
Secretary of State

S.B. 1148