

Preamble

~~WHEREAS, The right to free speech is a fundamental right guaranteed to the citizens of this State by both the United States Constitution and the Maryland Declaration of Rights; and~~

~~WHEREAS, The right of political expression is one of the most basic rights of free speech; and~~

~~WHEREAS, The restriction by homeowners associations, condominiums, and cooperative housing corporations, of the political speech of its residents is contrary to the principles of free speech; now, therefore,~~

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Real Property

11-111.2.

~~A RECORDED COVENANT OR RESTRICTION, A PROVISION IN A DECLARATION, OR A PROVISION OF THE BYLAWS OR RULES OF A CONDOMINIUM MAY NOT PROHIBIT THE DISPLAY OF POLITICAL SIGNS OR OTHER CAMPAIGN RELATED ADVERTISEMENTS EXCEPT:~~

- ~~(1) IN COMMON ELEMENTS; AND~~
- ~~(2) AS PERMITTED BY LOCAL, STATE, AND FEDERAL LAW.~~

(A) IN THIS SECTION, "CANDIDATE SIGN" MEANS A SIGN ON BEHALF OF A CANDIDATE FOR PUBLIC OFFICE OR A SLATE OF CANDIDATES FOR PUBLIC OFFICE.

(B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A RECORDED COVENANT OR RESTRICTION, A PROVISION IN A DECLARATION, OR A PROVISION IN THE BYLAWS OR RULES OF A CONDOMINIUM MAY NOT RESTRICT OR PROHIBIT THE DISPLAY OF:

- (1) A CANDIDATE SIGN; OR
- (2) A SIGN THAT ADVERTISES THE SUPPORT OR DEFEAT OF ANY PROPOSITION QUESTION SUBMITTED TO VOTERS IN ACCORDANCE WITH ARTICLE 33 OF THE CODE.

(C) A RECORDED COVENANT OR RESTRICTION, A PROVISION IN A DECLARATION, OR A PROVISION IN THE BYLAWS OR RULES OF A CONDOMINIUM MAY RESTRICT THE DISPLAY OF A CANDIDATE SIGN OR A SIGN THAT ADVERTISES THE SUPPORT OR DEFEAT OF ANY PROPOSITION:

- (1) IN THE COMMON ELEMENTS;
- (2) IN ACCORDANCE WITH PROVISIONS OF FEDERAL, STATE, AND LOCAL LAW; OR