
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1336 Session of
2017

INTRODUCED BY MADDEN, RABB, PASHINSKI, ROTHMAN, SCHLOSSBERG,
KINSEY, FREEMAN, J. HARRIS, BRIGGS, D. COSTA, CARROLL AND
ROZZI, MAY 5, 2017

REFERRED TO COMMITTEE ON URBAN AFFAIRS, MAY 5, 2017

AN ACT

1 Providing for the authorization of the outdoor display of a
2 political sign by a unit owner on the unit owner's property
3 within an association.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Political
8 Sign Display Act.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall
11 have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 "Association." A unit owner's association in a common
14 interest community.

15 "Declarant." A person or group of persons acting in concert
16 who:

17 (1) as part of a common promotional plan, offers to
18 dispose of a cooperative interest not previously disposed of;

1 or

2 (2) reserves or succeeds to a special declarant right.

3 "Limited common element." A portion of the common elements
4 allocated by the declaration or by operation of 68 Pa.C.S. §
5 4202(2) or (4) (relating to unit boundaries) for the exclusive
6 use of one or more units but fewer than all of the units.

7 "Limited common facility." A portion of the common
8 facilities allocated by or pursuant to the declaration or by the
9 operation of 68 Pa.C.S. § 5202(2) or (3) (relating to unit
10 boundaries) for the exclusive use of one or more units but fewer
11 than all of the units.

12 "Limited controlled facility." A portion of the controlled
13 facilities, other than controlled facilities which are
14 themselves part of a unit, allocated by or pursuant to the
15 declaration or by operation of 68 Pa.C.S. § 5202(2) or (3)
16 (relating to unit boundaries) for the exclusive use of one or
17 more units but fewer than all of the units.

18 "Political sign." A sign which publicizes the candidacy or
19 promotes the election of a contestant for elected public office
20 or which advocates a particular position on a referendum
21 appearing on an election ballot.

22 "Proprietary lease." An agreement with the association
23 pursuant to which a proprietary lessee has a possessory interest
24 in a unit.

25 "Unit." A physical portion of the cooperative designated for
26 separate occupancy under a proprietary lease.

27 "Unit owner." A declarant or other person who owns a unit or
28 a lessee of a unit in a leasehold planned community whose lease
29 expires simultaneously with a lease, the expiration or
30 termination of which will remove the unit from the planned

1 community. The term does not include a person having an interest
2 in a unit solely as security for an obligation.

3 Section 3. Display of political signs.

4 (a) Prohibitions.--Except as otherwise provided under this
5 section, notwithstanding any provisions in the association's
6 declaration, covenants, bylaws, rules, regulations or other
7 instruments or any construction of any of those instruments by
8 an association's executive board, an association may not
9 prohibit the outdoor display of a political sign by a unit owner
10 on the unit owner's property within:

11 (1) 30 days before the date of a general election or
12 municipal election in this Commonwealth; and

13 (2) 48 hours after the date of a general election or
14 municipal election in this Commonwealth.

15 (b) Exceptions.--An association's declaration, covenants,
16 bylaws, rules, regulations or other instruments or any
17 construction of any of those instruments by an association's
18 executive board may:

19 (1) require a unit owner's political sign to be ground-
20 mounted;

21 (2) limit the number of political signs a unit owner can
22 display to only one sign for each candidate running for
23 elected office in a general election or municipal election;
24 or

25 (3) prohibit a political sign that:

26 (i) contains roofing material, siding, paving
27 materials, flora, a balloon or light or any other similar
28 building, landscaping or nonstandard decorative
29 component;

30 (ii) is attached to plant material, a traffic

1 control device, light, trailer, vehicle or any other
2 similar existing structure or object;

3 (iii) includes the painting of architectural
4 surfaces;

5 (iv) threatens public health or safety;

6 (v) is larger than four feet by six feet;

7 (vi) contains language or images that would be
8 considered obscene to a reasonable individual;

9 (vii) is accompanied by sound, streamers or is
10 otherwise distracting to motorists; or

11 (viii) violates a law of this Commonwealth.

12 (c) Construction.--Nothing in this section shall be
13 construed to:

14 (1) allow a unit owner to display a political sign in a
15 limited common element, limited common facility or a limited
16 controlled facility; or

17 (2) prohibit a unit owner from limiting or prohibiting
18 the display of a political sign on the unit owner's property.

19 Section 4. Effective date.

20 This act shall take effect in 30 days.