

HOUSE BILL NO. HB0189

Homeowners associations-display of political campaign signs.

Sponsored by: Representative(s) Winter, Jennings, Knapp and Ward

A BILL

for

1 AN ACT relating to elections; limiting regulation by
2 homeowner's associations for the display of campaign signs
3 as political free speech on association members' property;
4 providing exceptions; providing a definition; providing for
5 a penalty; and providing for an effective date.

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7 *Be It Enacted by the Legislature of the State of Wyoming:*

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9 **Section 1.** W.S. 22-25-116 is created to read:

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11 **22-25-116. Regulation by homeowners' associations of**
12 **display of campaign signs.**

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14 (a) As used in this section, "homeowners'
15 association" means any incorporated or unincorporated

1 association that is owned by or whose members consist
2 primarily of the owners of the property governed by an
3 enforceable legal document and through which the owners, or
4 the board of directors or similar governing body, manage or
5 regulate a residential subdivision, planned unit
6 development, condominium or townhouse development,
7 cooperative, mobile home association, nonprofit land trust
8 or similar planned residential development.

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10 (b) Except as otherwise provided by this section, no
11 association shall prohibit the indoor or outdoor display of
12 a campaign sign, including any flag, advertising a
13 candidate for nomination or election to public office or a
14 clearly identified ballot proposition for an election.

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16 (c) Nothing in this section shall prohibit a
17 homeowners' association from establishing regulations that
18 are in accordance with the homeowners' association's bylaws
19 or other governing document for campaign signs that:

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21 (i) Require a campaign sign posted outdoors to
22 be ground-mounted or attached to a fence on the association
23 member's property;

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2 (ii) Limit a property owner to displaying only
3 one (1) sign for each candidate or ballot proposition;

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5 (iii) Are displayed earlier than ninety (90)
6 days before the date of the primary election;

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8 (iv) Are displayed later than thirty (30) days
9 after the date of the general election;

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11 (v) Are attached in any way to plant material, a
12 traffic control device, a light, a trailer or a vehicle;

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14 (vi) Include the painting of architectural
15 surfaces;

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17 (vii) Threaten the public health or safety;

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19 (viii) Are larger than four (4) feet by six (6)
20 feet;

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22 (ix) Violate a law;

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1 (x) Contains language, graphics or any display
2 that would be obscene pursuant to W.S. 6-4-301(a)(iii); or

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4 (xi) Are accompanied by music or other sounds or
5 by streamers or are otherwise distracting to motorists.

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7 (d) A homeowners' association may request removal of
8 a campaign sign in accordance with the association's bylaws
9 or governing document that is displayed in violation of a
10 regulation permitted by this section.

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12 **Section 2.** W.S. 22-26-112(a)(ix) is amended to read:

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14 **22-26-112. Misdemeanor offenses generally.**

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16 (a) Unless a different penalty is specifically
17 provided in this code, the following acts, if knowingly and
18 willfully committed, are misdemeanor offenses punishable by
19 not more than six (6) months in a county jail or a fine of
20 not more than one thousand dollars (\$1,000.00), or both:

21
22 (ix) Violating W.S. 22-25-101 through ~~22-25-115~~
23 22-25-116;

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2 **Section 3.** This act shall apply to any homeowners'
3 association executing legal documents with owners of
4 property within such an association on or after July 1,
5 2023.

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7 **Section 4.** This act is effective July 1, 2023.

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9

(END)