

SECOND REGULAR SESSION

# HOUSE BILL NO. 1364

## 97TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES BAHR (Sponsor), SPENCER,  
KOENIG AND ELLINGER (Co-sponsors).

4835L.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To amend chapter 442, RSMo, by adding thereto one new section relating to restrictive covenants.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 442, RSMo, is amended by adding thereto one new section, to be known as section 442.404, to read as follows:

- 442.404. 1. Except as otherwise provided by this section, a property owners' association shall not enforce or adopt a restrictive covenant that prohibits a property owner from displaying on the owner's property one or more signs advertising a political candidate or ballot item for an election:**
- (1) On or after the ninetieth day before the date of the election to which the sign relates; or**
- (2) Before the tenth day after that election date.**
- 2. This section does not prohibit the enforcement or adoption of a covenant that:**
- (1) Requires a sign to be ground-mounted; or**
- (2) Limits a property owner to displaying only one sign for each candidate or ballot item.**
- 3. This section does not prohibit the enforcement or adoption of a covenant that prohibits a sign that:**
- (1) Contains roofing material, siding, paving materials, flora, one or more balloons or lights, or any other similar building, landscaping, or nonstandard decorative component;**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

- 17           (2) Is attached in any way to plant material, a traffic control device, a light, a  
18 trailer, a vehicle, or any other existing structure or object;  
19           (3) Includes the painting of architectural surfaces;  
20           (4) Threatens the public health or safety;  
21           (5) Is larger than four feet by four feet;  
22           (6) Violates a law;  
23           (7) Contains language, graphics, or any display that would be offensive to the  
24 ordinary person; or  
25           (8) Is accompanied by music or other sounds or by streamers or is otherwise  
26 distracting to motorists.  
27           4. A property owners' association may remove a sign displayed in violation of a  
28 restrictive covenant permitted by this section.

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