

## **IC 32-21-13**

### **Chapter 13. Display of Political Signs on Property Subject to Restrictive Covenants or Homeowners Association Rules**

#### **IC 32-21-13-1**

##### **Application of election law definitions**

Sec. 1. The definitions in IC 3-5-2 apply to this chapter.

*As added by P.L.5-2010, SEC.1.*

#### **IC 32-21-13-2**

##### **"Rules"**

Sec. 2. As used in this chapter, "rules" refers to any of the following:

- (1) A restrictive covenant.
- (2) A homeowners association rule.

*As added by P.L.5-2010, SEC.1.*

#### **IC 32-21-13-3**

##### **"Sign"**

Sec. 3. As used in this chapter, "sign" refers only to a sign advocating:

- (1) the election or defeat of one (1) or more candidates for:
  - (A) nomination; or
  - (B) election;to a public office;
- (2) support for or opposition to:
  - (A) a political party; or
  - (B) a political party's candidates; or
- (3) the approval or disapproval of a public question.

*As added by P.L.5-2010, SEC.1.*

#### **IC 32-21-13-4**

##### **Prohibition on homeowner association adoption or enforcement of rules relating to display of political signs; exceptions**

Sec. 4. Except as provided in section 5 of this chapter, a homeowners association may not adopt or enforce a rule that prohibits a member of the homeowners association from displaying a sign on the member's property during the period:

- (1) beginning thirty (30) days before; and
- (2) ending five (5) days after;

the date of the election to which the sign relates.

*As added by P.L.5-2010, SEC.1.*

#### **IC 32-21-13-5**

##### **Permissible rules relating to display of political signs**

Sec. 5. A homeowners association may adopt and enforce rules relating to a sign described in section 3 of this chapter if the rules do any of the following:

(1) Restrict the size of a sign if the rule permits a homeowner to display a sign that is at least as large as signs commonly displayed during election campaigns.

(2) Restrict the number of signs that may be displayed if the rule permits a homeowner to display a reasonable number of signs.

(3) Restrict the locations where a sign may be displayed. However, a restriction under this subdivision may not prohibit the display of a sign:

(A) in a window on the homeowner's property; or

(B) on the ground that is part of the homeowner's property.

*As added by P.L.5-2010, SEC.1.*

### **IC 32-21-13-6**

#### **Homeowners' association may remove sign that violates permitted rules**

Sec. 6. A homeowners association may remove a sign that violates the rules permitted by this chapter.

*As added by P.L.5-2010, SEC.1.*

### **IC 32-21-13-7**

#### **Political activity on homeowners association property may not be prohibited; exception**

Sec. 7. (a) This section does not apply to homeowners association property if:

(1) access to the property from the outside is controlled by gates or other means; and

(2) the common areas, including roads and sidewalks, are privately owned and maintained.

(b) As used in this section, "homeowners association property" refers to real property owned by any of the following:

(1) A member of the homeowners association.

(2) The homeowners association.

(3) The members of the homeowners association in common.

(c) A homeowners association may not adopt or enforce a rule or covenant that prohibits, or has the effect of prohibiting:

(1) a candidate;

(2) an individual who holds an elected office;

(3) the spouse of a candidate or individual who holds an elected office; or

(4) a volunteer worker of a candidate or individual who holds an elected office;

from entering onto homeowners association property for purposes of conducting political activity.

*As added by P.L.73-2014, SEC.1. Amended by P.L.174-2015, SEC.1.*