



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature  
Second Regular Session

---

## **HB2158: homeowners' associations; political; community activity**

**Sponsor: Representative Kavanagh, LD 23**

**Committee on Government & Elections**

### **Overview**

Stipulates that a unit owner's association or a planned community association (Association) may not prohibit a unit owner or member (member) from peacefully assembling and using private or common elements of the community.

### **History**

An Association may not prohibit door-to-door political activity or circulation of political petitions on property normally open to visitors within the association, except in specified circumstances. Additionally, an Association may not prohibit a member from displaying a political sign on their property; except that they may prohibit the display of political signs earlier than 71 days before the day of an election and later than 15 days after an election day. A *political sign* is defined as a sign that attempts to influence the outcome of an election, including supporting or opposing the recall of a public officer or supporting or opposing the circulation of a petition for a ballot measure, question or proposition or the recall of a public officer ([A.R.S. §§ 33-1261, 33-1808](#)).

### **Provisions**

1. Specifies that an Association cannot prohibit the circulation of community petitions on property normally open to visitors within the Association, except in currently specified circumstances. (Sec. 1, 2)
2. Provides for an Association to prohibit the display of a political sign regarding a Board of Directors candidate or an Association measure that requires a vote of the membership, earlier than the date the Association provides written or absentee ballots to members and later than three days after the community election. (Sec. 1, 2)
3. Authorizes an Association to restrict the use of profanity or racial or sexual bias on political signs. (Sec. 1, 2)
4. Stipulates that an Association may not prohibit or unreasonably restrict a member's ability to peacefully assemble and use private or common elements of the community if done in compliance with reasonable restrictions put in place by the Board of Directors for use of that property. (Sec 1, 2)
5. Allows a member or group of members to organize to discuss or address Association business, including the following:
  - a) Board of Director elections or recalls;
  - b) Potential or actual ballot issues;
  - c) Revisions to the community documents;
  - d) Property maintenance or safety issues; or
  - e) Any other community business or actions. (Sec. 1, 2)

6. Permits a member to invite one political candidate or one non-owner to speak to an assembly of members that has gathered to discuss Association business. (Sec. 1, 2)
7. Prohibits the Association from restricting the posting of notices of informal member meetings on physical or electronic bulletin boards used by the Association. (Sec. 1, 2)
8. Modifies the definition of *political sign*. (Sec. 1, 2)
9. Makes technical and conforming changes. (Sec. 1, 2)

Prop 105 (45 votes)     Prop 108 (40 votes)     Emergency (40 votes)     Fiscal Note