

HOUSE BILL 587

By Rudd

AN ACT to amend Tennessee Code Annotated, Title 2 and Title 66, relative to campaign signage.

WHEREAS, this act is intended to address temporary political, ideological, and content-based signs on private property, and not lighting, signs on buildings, lighted highway signage, or commercial business signage; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 2, Chapter 7, is amended by adding the following language as a new section:

(a) This section is known and may be cited as the "Tennessee Freedom of Political Speech Act."

(b) Notwithstanding any law to the contrary, during the period beginning sixty (60) days before a general election until the day after the next subsequent general election:

(1) This state, a local government, or any other political subdivision of this state shall not regulate the size, shape, content, or quantity of political or campaign posters or signs placed on private property that is located more than one hundred feet (100') from a polling place if the signs or posters are placed on the property by the owner of the property or any lawful resident of a residence on the property;

(2) A homeowners' association shall not, by covenant, condition, restriction, or rule, prohibit the display of political or campaign posters or signs placed on private property by the owner of the property or any lawful resident of a residence on the property. A homeowners' association may adopt reasonable

covenants, conditions, restrictions, or rules with respect to the placement of political or campaign posters or signs placed on common or other areas maintained by the homeowners' association; and

(3) A resident of a multi-unit residential dwelling may place political or campaign posters or signs on property owned or under the control of the resident.

SECTION 2. Tennessee Code Annotated, Section 2-7-111(b)(1), is amended by deleting the last sentence of the subdivision.

SECTION 3. Tennessee Code Annotated, Section 2-7-111, is further amended by deleting subsection (d) in its entirety.

SECTION 4. This act applies to any covenant, condition, restriction, or rule contained in any agreement or contract between a homeowners' association and property owner executed before or after the effective date of this act.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.