

House Engrossed Senate Bill

political signs; homeowners' associations

State of Arizona  
Senate  
Fifty-seventh Legislature  
First Regular Session  
2025

**CHAPTER 103**  
**SENATE BILL 1378**

AN ACT

AMENDING SECTIONS 33-1261 AND 33-1808, ARIZONA REVISED STATUTES; RELATING TO CONDOMINIUMS AND PLANNED COMMUNITIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2       Section 1. Section 33-1261, Arizona Revised Statutes, is amended to  
3 read:

4       33-1261. Flag display; for sale, rent or lease signs;  
5                    political signs; political and community  
6                    activities; applicability; definitions

7       A. Notwithstanding any provision in the condominium documents, an  
8 association shall not prohibit the outdoor display of any of the  
9 following:

10      1. The American flag or an official or replica of a flag of the  
11 uniformed services of the United States by a unit owner on that unit  
12 owner's property if the American flag or a uniformed services flag is  
13 displayed in a manner consistent with the federal flag code (P.L. 94-344;  
14 90 Stat. 810; 4 United States Code sections 4 through 10).

15      2. The POW/MIA flag.

16      3. The Arizona state flag.

17      4. An Arizona Indian nations flag.

18      5. The Gadsden flag.

19      6. A first responder flag. A first responder flag may incorporate  
20 the design of one or two other first responder flags to form a combined  
21 flag.

22      7. A blue star service flag or a gold star service flag.

23      8. Any historic version of the American flag, including the Betsy  
24 Ross flag, without regard to how the stars and stripes are arranged on the  
25 flag.

26      B. The association shall adopt reasonable rules and regulations  
27 regarding the placement and manner of display of the flags prescribed by  
28 subsection A of this section. The association rules may regulate the  
29 location and size of flagpoles but shall not prohibit installing a  
30 flagpole.

31      C. Notwithstanding any provision in the condominium documents, an  
32 association shall not prohibit or charge a fee for the use of, the  
33 placement of or the indoor or outdoor display of a for sale, for rent or  
34 for lease sign and a sign rider by a unit owner on that owner's property  
35 in any combination, including a sign that indicates the unit owner is  
36 offering the property for sale by owner. The size of a sign offering a  
37 property for sale, for rent or for lease shall be in conformance with the  
38 industry standard size sign, which shall not exceed eighteen by  
39 twenty-four inches, and the industry standard size sign rider, which shall  
40 not exceed six by twenty-four inches. This subsection applies only to a  
41 commercially produced sign and an association may prohibit using signs  
42 that are not commercially produced. With respect to real estate for sale,  
43 for rent or for lease in the condominium, an association shall not  
44 prohibit in any way other than as is specifically authorized by this  
45 section or otherwise regulate any of the following:

1        1. Temporary open house signs or a unit owner's for sale sign. The  
2 association shall not require the use of particular signs indicating an  
3 open house or real property for sale and may not further regulate the use  
4 of temporary open house or for sale signs that are industry standard size  
5 and that are owned or used by the seller or the seller's agent.

6        2. Open house hours. The association may not limit the hours for  
7 an open house for real estate that is for sale in the condominium, except  
8 that the association may prohibit an open house being held before  
9 8:00 a.m. or after 6:00 p.m. and may prohibit open house signs on the  
10 common elements of the condominium.

11        3. An owner's or an owner's agent's for rent or for lease sign  
12 unless an association's documents prohibit or restrict leasing of a unit  
13 or units. An association shall not further regulate a for rent or for  
14 lease sign or require the use of a particular for rent or for lease sign  
15 other than the for rent or for lease sign shall not be any larger than the  
16 industry standard size sign of eighteen by twenty-four inches and on or in  
17 the unit owner's property. If rental or leasing of a unit is allowed, the  
18 association may prohibit an open house for rental or leasing being held  
19 before 8:00 a.m. or after 6:00 p.m.

20        D. Notwithstanding any provision in the condominium documents, an  
21 association shall not prohibit door-to-door political activity, including  
22 solicitations of support or opposition regarding candidates or ballot  
23 issues, and shall not prohibit circulating political petitions, including  
24 candidate nomination petitions or petitions in support of or opposition to  
25 an initiative, referendum or recall or other political issue on property  
26 normally open to visitors within the association, except that an  
27 association may do the following:

28        1. Restrict or prohibit door-to-door political activity regarding  
29 candidates or ballot issues from sunset to sunrise.

30        2. Require the prominent display of an identification tag for each  
31 person engaged in the activity, along with the prominent identification of  
32 the candidate or ballot issue that is the subject of the support or  
33 opposition.

34        3. Prohibit a person who is not accompanied by a unit owner or  
35 resident of the condominium from entering the condominium premises if the  
36 condominium restricts vehicular or pedestrian access.

37        E. Notwithstanding any provision in the condominium documents, an  
38 association shall not prohibit the indoor or outdoor display of a  
39 political sign by a unit owner by placement of a sign on that unit owner's  
40 property, including any limited common elements for that unit that are  
41 doors, walls or patios or other limited common elements that touch the  
42 unit, other than the roof. An association may prohibit the display of  
43 political signs as follows:

44        1. Earlier than seventy-one days before the day of a primary  
45 election.

1        2. Later than fifteen days after the day of the general election.  
2        3. For a sign for a candidate in a primary election who does not  
3 advance to the general election, later than fifteen days after the primary  
4 election.

5        F. An association may regulate the size and number of political  
6 signs that may be placed in the common element ground, on a unit owner's  
7 property or on a limited common element for that unit if the association's  
8 regulation is not more restrictive than any applicable city, town or  
9 county ordinance that regulates the size and number of political signs on  
10 residential property. If the city, town or county in which the property  
11 is located does not regulate the size and number of political signs on  
12 residential property, the association shall not limit the number of  
13 political signs, except that the maximum aggregate total dimensions of all  
14 political signs on a unit owner's property shall not exceed nine square  
15 feet. An association shall not make any regulations regarding the number  
16 of candidates supported, the number of public officers supported or  
17 opposed in a recall or the number of propositions supported or opposed on  
18 a political sign.

19        G. An association shall not require political signs to be  
20 commercially produced or professionally manufactured or prohibit the  
21 utilization of both sides of a political sign.

22        H. Notwithstanding any provision in the condominium documents, an  
23 association may not prohibit or unreasonably restrict the indoor or  
24 outdoor display of an association-specific political sign by a unit owner  
25 by placement of a sign on that unit owner's property, including any  
26 limited common elements for that unit that are doors, walls or patios or  
27 other limited common elements that touch the unit, other than the  
28 roof. An association may adopt reasonable rules regarding the placement,  
29 location and manner of display of association-specific political signs,  
30 except an association shall not do any of the following:

31        1. Prohibit the display of association-specific political signs  
32 between the date that the association provides written or absentee ballots  
33 to unit owners and three days after the condominium election.

34        2. Limit the number of association-specific political signs, except  
35 that the association may limit the aggregate total dimensions of all  
36 association-specific political signs on a unit owner's property to not  
37 more than nine square feet.

38        3. Require association-specific political signs to be commercially  
39 produced or professionally manufactured or prohibit using both sides of  
40 the sign.

41        4. Regulate the number of candidates supported or opposed, the  
42 number of board members supported or opposed in a recall or the number of  
43 ballot measures supported or opposed on an association-specific political  
44 sign.

1       5. Make any other regulations regarding the content of an  
2 association-specific political sign, except that the association may  
3 prohibit using profanity and discriminatory text, images or content based  
4 on race, color, religion, sex, familial status or national origin as  
5 prescribed by federal or state fair housing laws.

6       I. Notwithstanding any provision in the condominium documents, an  
7 association may not prohibit or unreasonably restrict a unit owner's  
8 ability to peacefully assemble and use common elements of the condominium  
9 if done in compliance with reasonable restrictions for the use of that  
10 property adopted by the board of directors. An individual unit owner or  
11 group of unit owners may assemble to discuss matters related to the  
12 condominium, including board of director elections or recalls, potential  
13 or actual ballot issues or revisions to the condominium documents,  
14 property maintenance or safety issues or any other condominium matters. A  
15 unit owner may invite one political candidate or one non-unit owner guest  
16 to speak to an assembly of unit owners about matters related to the  
17 condominium. The association shall not prohibit a unit owner from posting  
18 notices regarding those assemblies of unit owners on bulletin boards  
19 located on the common elements or within common element facilities. An  
20 assembly of unit owners prescribed by this subsection does not constitute  
21 an official unit owners' meeting unless the meeting is noticed and  
22 convened as prescribed in the condominium documents and this chapter.

23       J. An association or managing agent that violates subsection C of  
24 this section forfeits and extinguishes the lien rights authorized under  
25 section 33-1256 against that unit for a period of six consecutive months  
26 after the date of the violation.

27       K. This section does not apply to timeshare plans or associations  
28 that are subject to chapter 20 of this title.

29       L. An association or managing agent that violates subsection C of  
30 this section forfeits and extinguishes the lien rights authorized under  
31 section 33-1256 against that unit for a period of six consecutive months  
32 after the date of the violation.

33       M. For the purposes of this section:

34       1. "Association-specific political sign" means a sign that supports  
35 or opposes a candidate for the board of directors, the recall of a board  
36 member or a condominium ballot measure that requires a vote of the  
37 association unit owners.

38       2. "Betsy Ross flag" means ~~an~~ A historic flag of the United States  
39 that consists of thirteen stripes alternating between red and white  
40 stripes and thirteen five-pointed white stars arranged in a circle against  
41 a blue background.

42       3. "First responder flag" means a flag that recognizes and honors  
43 the services of any of the following:

44       (a) Law enforcement and that is limited to the colors blue, black  
45 and white, the words "law enforcement", "police", "officers", "first

1 responder", "honor our", "support our" and "department" and the symbol of  
2 a generic police shield in a crest or star shape.

3 (b) Fire departments and that is limited to the colors red, gold,  
4 black and white, the words "fire", "fighters", "F", "D", "FD", "first  
5 responder", "department", "honor our" and "support our" and the symbol of  
6 a generic Maltese cross.

7 (c) Paramedics or emergency medical technicians and that is limited  
8 to the colors blue, black and white, the words "first responder",  
9 "paramedic", "emergency medical", "service", "technician", "honor our" and  
10 "support our" and the symbol of a generic star of life.

11 4. "Political sign" means a sign **OR FLAG** that attempts to influence  
12 the outcome of an election, including supporting or opposing the recall of  
13 a public officer or supporting or opposing the circulation of a petition  
14 for a ballot measure, question or proposition or the recall of a public  
15 officer.

16 Sec. 2. Section 33-1808, Arizona Revised Statutes, is amended to  
17 read:

18 33-1808. **Flag display; political signs; caution signs; for**  
19 **sale. rent or lease signs; political and community**  
20 **activities; definitions**

21 A. Notwithstanding any provision in the community documents, an  
22 association shall not prohibit the outdoor front yard or backyard display  
23 of any of the following:

24 1. The American flag or an official or replica of a flag of the  
25 uniformed services of the United States by an association member on that  
26 member's property if the American flag or a uniformed services flag is  
27 displayed in a manner consistent with the federal flag code (P.L. 94-344;  
28 90 Stat. 810; 4 United States Code sections 4 through 10).

29 2. The POW/MIA flag.

30 3. The Arizona state flag.

31 4. An Arizona Indian nations flag.

32 5. The Gadsden flag.

33 6. A first responder flag. A first responder flag may incorporate  
34 the design of one or two other first responder flags to form a combined  
35 flag.

36 7. A blue star service flag or a gold star service flag.

37 8. Any historic version of the American flag, including the Betsy  
38 Ross flag, without regard to how the stars and stripes are arranged on the  
39 flag.

40 B. The association shall adopt reasonable rules and regulations  
41 regarding the placement and manner of display of the flags prescribed by  
42 subsection A of this section. The association rules:

43 1. May regulate the location and size of flagpoles.

44 2. May limit the member to two wall-mounted flagpole holders.

1       3. May limit the member to displaying not more than two flags at  
2 once.

3       4. May limit the height of the flagpole to not more than the height  
4 of the rooftop of the member's home.

5       5. Shall not prohibit installing a flagpole in the front yard or  
6 backyard of the member's property.

7       C. Notwithstanding any provision in the community documents, an  
8 association shall not prohibit the indoor or outdoor display of a  
9 political sign by an association member on that member's property, except  
10 that an association may prohibit the display of political signs as  
11 follows:

12       1. Earlier than seventy-one days before the day of a primary  
13 election.

14       2. Later than fifteen days after the day of the general election.

15       3. For a sign for a candidate in a primary election who does not  
16 advance to the general election, later than fifteen days after the primary  
17 election.

18       D. An association may regulate the size and number of political  
19 signs that may be placed on a member's property if the association's  
20 regulation is not more restrictive than any applicable city, town or  
21 county ordinance that regulates the size and number of political signs on  
22 residential property. If the city, town or county in which the property  
23 is located does not regulate the size and number of political signs on  
24 residential property, the association shall not limit the number of  
25 political signs, except that the maximum aggregate total dimensions of all  
26 political signs on a member's property shall not exceed nine square feet.

27       E. Notwithstanding any provision in the community documents, an  
28 association shall not prohibit using cautionary signs regarding children  
29 if the signs are used and displayed as follows:

30       1. The signs are displayed in residential areas only.

31       2. The signs are removed within one hour of children ceasing to  
32 play.

33       3. The signs are displayed only when children are actually present  
34 within fifty feet of the sign.

35       4. The temporary signs are not taller than three feet in height.

36       5. The signs are professionally manufactured or produced.

37       F. Notwithstanding any provision in the community documents, an  
38 association shall not prohibit children who reside in the planned  
39 community from engaging in recreational activity on residential roadways  
40 that are under the jurisdiction of the association and on which the posted  
41 speed limit is twenty-five miles per hour or less.

42       G. Notwithstanding any provision in the community documents, an  
43 association shall not prohibit or charge a fee for the use of, the  
44 placement of or the indoor or outdoor display of a for sale, for rent or  
45 for lease sign and a sign rider by an association member on that member's

1 property in any combination, including a sign that indicates the member is  
2 offering the property for sale by owner. The size of a sign offering a  
3 property for sale, for rent or for lease shall be in conformance with the  
4 industry standard size sign, which shall not exceed eighteen by  
5 twenty-four inches, and the industry standard size sign rider, which shall  
6 not exceed six by twenty-four inches. This subsection applies only to a  
7 commercially produced sign, and an association may prohibit using signs  
8 that are not commercially produced. With respect to real estate for sale,  
9 for rent or for lease in the planned community, an association shall not  
10 prohibit in any way other than as is specifically authorized by this  
11 section or otherwise regulate any of the following:

12       1. Temporary open house signs or a member's for sale sign. The  
13 association shall not require the use of particular signs indicating an  
14 open house or real property for sale and may not further regulate the use  
15 of temporary open house or for sale signs that are industry standard size  
16 and that are owned or used by the seller or the seller's agent.

17       2. Open house hours. The association may not limit the hours for  
18 an open house for real estate that is for sale in the planned community,  
19 except that the association may prohibit an open house being held before  
20 8:00 a.m. or after 6:00 p.m. and may prohibit open house signs on the  
21 common areas of the planned community.

22       3. An owner's or an owner's agent's for rent or for lease sign  
23 unless an association's documents prohibit or restrict leasing of a  
24 member's property. An association shall not further regulate a for rent  
25 or for lease sign or require the use of a particular for rent or for lease  
26 sign other than the for rent or for lease sign shall not be any larger  
27 than the industry standard size sign of eighteen by twenty-four inches on  
28 or in the member's property. If rental or leasing of a member's property  
29 is not prohibited or restricted, the association may prohibit an open  
30 house for rental or leasing being held before 8:00 a.m. or after 6:00 p.m.

31       H. Notwithstanding any provision in the community documents, an  
32 association shall not prohibit door-to-door political activity, including  
33 solicitations of support or opposition regarding candidates or ballot  
34 issues, and shall not prohibit circulating political petitions, including  
35 candidate nomination petitions or petitions in support of or opposition to  
36 an initiative, referendum or recall or other political issue on property  
37 normally open to visitors within the association, except that an  
38 association may do the following:

39       1. Restrict or prohibit the door-to-door political activity from  
40 sunset to sunrise.

41       2. Require the prominent display of an identification tag for each  
42 person engaged in the activity, along with the prominent identification of  
43 the candidate or ballot issue that is the subject of the support or  
44 opposition.

1       3. Prohibit a person who is not accompanied by a member or resident  
2 of the planned community from entering the planned community if the  
3 planned community restricts vehicular or pedestrian access.

4       I. A planned community shall not make any regulations regarding the  
5 number of candidates supported, the number of public officers supported or  
6 opposed in a recall or the number of propositions supported or opposed on  
7 a political sign.

8       J. A planned community shall not require political signs to be  
9 commercially produced or professionally manufactured or prohibit the  
10 utilization of both sides of a political sign.

11       K. Notwithstanding any provision in the community documents, an  
12 association may not prohibit or unreasonably restrict the indoor or  
13 outdoor display of an association-specific political sign by a member by  
14 placement of a sign on that member's property. An association may adopt  
15 reasonable rules regarding the placement, location and manner of display  
16 of association-specific political signs, except an association shall not  
17 do any of the following:

18       1. Prohibit the display of association-specific political signs  
19 between the date that the association provides written or absentee ballots  
20 to members and three days after the planned community election.

21       2. Limit the number of association-specific political signs, except  
22 that the association may limit the aggregate total dimensions of all  
23 association-specific political signs on a member's property to not more  
24 than nine square feet.

25       3. Require association-specific political signs to be commercially  
26 produced or professionally manufactured or prohibit using both sides of  
27 the sign.

28       4. Regulate the number of candidates supported or opposed, the  
29 number of board members supported or opposed in a recall or the number of  
30 ballot measures supported or opposed on an association-specific political  
31 sign.

32       5. Make any other regulations regarding the content of an  
33 association-specific political sign except that the association may  
34 prohibit using profanity and discriminatory text, images or content based  
35 on race, color, religion, sex, familial status or national origin as  
36 prescribed by federal or state fair housing laws.

37       L. Notwithstanding any provision in the community documents, an  
38 association may not prohibit or unreasonably restrict a member's ability  
39 to peacefully assemble and use common areas of the planned community if  
40 done in compliance with reasonable restrictions for the use of that  
41 property adopted by the board of directors. An individual member or group  
42 of members may assemble to discuss matters related to the planned  
43 community, including board elections or recalls, potential or actual  
44 ballot issues or revisions to the community documents, property  
45 maintenance or safety issues or any other planned community matters. A

1 member may invite one political candidate or one non-member guest to speak  
2 to an assembly of members about matters related to the community. The  
3 association shall not prohibit a member from posting notices regarding  
4 those assemblies of members on bulletin boards located on the common areas  
5 or within common area facilities. An assembly of members prescribed by  
6 this subsection does not constitute an official members' meeting unless  
7 the meeting is noticed and convened as prescribed in the community  
8 documents and this chapter.

9       M. An association or managing agent that violates subsection G of  
10 this section forfeits and extinguishes the lien rights authorized under  
11 section 33-1807 against that member's property for a period of six  
12 consecutive months after the date of the violation.

13       N. For the purposes of this section:

14       1. "Association-specific political sign" means a sign that supports  
15 or opposes a candidate for the board of directors, the recall of a board  
16 member or a planned community ballot measure that requires a vote of the  
17 association members.

18       2. "Betsy Ross flag" means a historic flag of the United States  
19 that consists of thirteen stripes alternating between red and white  
20 stripes and thirteen five-pointed white stars arranged in a circle against  
21 a blue background.

22       3. "First responder flag" means a flag that recognizes and honors  
23 the services of any of the following:

24           (a) Law enforcement and that is limited to the colors blue, black  
25 and white, the words "law enforcement", "police", "officers", "first  
26 responder", "honor our", "support our" and "department" and the symbol of  
27 a generic police shield in a crest or star shape.

28           (b) Fire departments and that is limited to the colors red, gold,  
29 black and white, the words "fire", "fighters", "F", "D", "FD", "first  
30 responder", "department", "honor our" and "support our" and the symbol of  
31 a generic Maltese Cross.

32           (c) Paramedics or emergency medical technicians and that is limited  
33 to the colors blue, black and white, the words "first responder",  
34 "paramedic", "emergency medical", "service", "technician", "honor our" and  
35 "support our" and the symbol of a generic star of life.

36       4. "Political sign" means a sign **OR FLAG** that attempts to influence  
37 the outcome of an election, including supporting or opposing the recall of  
38 a public officer or supporting or opposing the circulation of a petition  
39 for a ballot measure, question or proposition or the recall of a public  
40 officer.

APPROVED BY THE GOVERNOR MAY 2, 2025.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 2, 2025.