

1 SB205
2 164640-1
3 By Senator Whatley
4 RFD: Fiscal Responsibility and Economic Development
5 First Read: 10-MAR-15

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8 SYNOPSIS: Under existing law, an association involving
9 real estate may restrict the design of a real
10 estate sign for the sale of real property located
11 on property in the association.

12 This bill would prohibit certain
13 associations involving real estate from restricting
14 the design of a real estate sign for the sale of
15 property located therein if the sign is less than
16 two feet wide and three feet in height.

17 This bill would provide for a cause of
18 action and an award of damages.

19
20 A BILL
21 TO BE ENTITLED
22 AN ACT
23

24 Relating to real estate; to prohibit certain
25 associations involving real estate from restricting the design
26 of a real estate sign for the sale of property located therein
27 if the sign is less than two feet wide and three feet in

1 height; and to provide for a cause of action and an award of
2 damages.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. (a) For purposes of this act, the term
5 association means an association or unit owners association,
6 as defined in Section 35-8A-103 of the Code of Alabama 1975,
7 an association as defined in Section 35-8-2 of the Code of
8 Alabama 1975, or a nonprofit or cooperative membership
9 organization composed exclusively of owners of mobile homes,
10 manufactured housing, time shares, camping resort interests,
11 or other interests in real property that is responsible for
12 the maintenance, improvements, services, or expenses related
13 to real property that is owned, used, or enjoyed in common by
14 the members of the association.

15 (b) Notwithstanding any other provision of law, an
16 association may not restrict the design of a real estate sign
17 for the sale of property located within the boundary of the
18 association if the sign is less than two feet wide and three
19 feet in height.

20 (c) Any owner of any real estate who is injured by a
21 violation of this act by an association may bring a cause of
22 action against the association for recovery of damages.

23 Section 2. This act shall become effective
24 immediately following its passage and approval by the
25 Governor, or its otherwise becoming law.