

Am. S. B. No. 75  
As Passed by the Senate

\_\_\_\_\_ moved to amend as follows:

In line 1 of the title, delete "section" and insert "sections"; 1  
after "715.72" insert "and 5301.072" 2

In line 4 of the title, after "township" insert "and to prohibit 3  
homeowners associations from restricting the display of political yard 4  
signs" 5

In line 5, delete "section" and insert "sections"; after "715.72" 6  
insert "and 5301.072" 7

After line 761, insert: 8

**"Sec. 5301.072.** (A) No covenant, condition, or 9  
restriction set forth in a deed, and no rule, regulation, bylaw, 10  
or other governing document or agreement of a homeowners, 11  
neighborhood, civic, or other association, shall prohibit or be 12  
construed to prohibit any of the following: 13

(1) The placement on any property of a flagpole that is to 14  
be used for the purpose of displaying the flag of the United 15  
States, the flag of the state as defined in section 5.01 of the 16  
Revised Code, or the national league of families POW/MIA flag 17



provided the flag and flag pole shall be of an appropriate size, 18  
consistent with the size and character of the buildings that are 19  
subject to the requirements or agreements of a homeowner, 20  
neighborhood, civic, or other association; 21

(2) The display on any property of the flag of the United 22  
States or the national league of families POW/MIA flag if the 23  
flag is displayed in accordance with any of the following: 24

(a) The patriotic customs set forth in 4 U.S.C. 5-10, and 25  
36 U.S.C. 902 governing the display and use of the flag; 26

(b) The consent of the property's owner or of any person 27  
having lawful control of the property; 28

(c) The recommended flagpole standards set forth in "Our 29  
Flag," published pursuant to S.C.R. 61 of the 105th Congress, 30  
1st Session (1998); 31

(d) Any federal law, proclamation of the president of the 32  
United States or the governor, section of the Revised Code, or 33  
local ordinance or resolution. 34

(3) The display on any property of the state flag as 35  
defined in section 5.01 of the Revised Code if the flag is 36  
displayed in accordance with any of the following: 37

(a) The consent of the property's owner or of any person 38  
having lawful control of the property; 39

(b) Any state law, local ordinance or resolution, or 40  
proclamation by the governor of the state. 41

(4) The display of a service flag approved by the United 42  
States secretary of defense for display in a window of the 43  
residence of a member of the immediate family of an individual 44  
serving in the armed forces of the United States. A service flag 45

includes a blue star banner, a gold star banner, and any other 46  
flag the secretary of defense designates as a service flag. 47

(5) The display of political yard signs, if displayed in 48  
accordance with any state law, local ordinance or resolution, or 49  
a proclamation by the governor of the state. 50

(B) A covenant, condition, restriction, rule, regulation, 51  
bylaw, governing document, or agreement or a construction of any 52  
of these items that violates division (A) of this section is 53  
against public policy and unenforceable in any court of this 54  
state to the extent it violates that division. 55

(C) As used in this section, "political" means that a yard 56  
sign endorses a particular political candidate, party, or belief 57  
and does not violate section 2927.12 of the Revised Code or 18 58  
U.S.C. 249." 59

In line 762, delete "section" and insert "sections"; after "715.72" 60  
insert "and 5301.072" 61

In line 763, delete "is" and insert "are" 62

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 63

**Political yard signs** 64

**R.C. 5301.072** 65

Disallows a homeowners, neighborhood, civic, or other 66  
association from prohibiting the display of political yard signs 67  
- i.e., yard signs that endorse a political candidate, party, or 68

belief, and that do not constitute a hate crime or ethnic	69
intimidation - in accordance with any state law, local ordinance	70
or resolution, or a proclamation by the Governor.	71