

**As Introduced**

**135th General Assembly  
Regular Session  
2023-2024**

**H. B. No. 668**

**Representative Lorenz**

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**A BILL**

To amend section 5301.072 of the Revised Code to 1  
prohibit homeowners associations from 2  
restricting the display of political yard signs. 3

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That section 5301.072 of the Revised Code be 4  
amended to read as follows: 5

**Sec. 5301.072.** (A) No covenant, condition, or restriction 6  
set forth in a deed, and no rule, regulation, bylaw, or other 7  
governing document or agreement of a homeowners, neighborhood, 8  
civic, or other association, shall prohibit or be construed to 9  
prohibit any of the following: 10

(1) The placement on any property of a flagpole that is to 11  
be used for the purpose of displaying the flag of the United 12  
States, the flag of the state as defined in section 5.01 of the 13  
Revised Code, or the national league of families POW/MIA flag 14  
provided the flag and flag pole shall be of an appropriate size, 15  
consistent with the size and character of the buildings that are 16  
subject to the requirements or agreements of a homeowner, 17  
neighborhood, civic, or other association; 18

(2) The display on any property of the flag of the United 19

States or the national league of families POW/MIA flag if the	20
flag is displayed in accordance with any of the following:	21
(a) The patriotic customs set forth in 4 U.S.C. 5-10, and	22
36 U.S.C. 902 governing the display and use of the flag;	23
(b) The consent of the property's owner or of any person	24
having lawful control of the property;	25
(c) The recommended flagpole standards set forth in "Our	26
Flag," published pursuant to S.C.R. 61 of the 105th Congress,	27
1st Session (1998);	28
(d) Any federal law, proclamation of the president of the	29
United States or the governor, section of the Revised Code, or	30
local ordinance or resolution.	31
(3) The display on any property of the state flag as	32
defined in section 5.01 of the Revised Code if the flag is	33
displayed in accordance with any of the following:	34
(a) The consent of the property's owner or of any person	35
having lawful control of the property;	36
(b) Any state law, local ordinance or resolution, or	37
proclamation by the governor of the state.	38
(4) The display of a service flag approved by the United	39
States secretary of defense for display in a window of the	40
residence of a member of the immediate family of an individual	41
serving in the armed forces of the United States. A service flag	42
includes a blue star banner, a gold star banner, and any other	43
flag the secretary of defense designates as a service flag.	44
<u>(5) The display of political yard signs, if displayed in</u>	45
<u>accordance with any state law, local ordinance or resolution, or</u>	46
<u>a proclamation by the governor of the state.</u>	47

(B) A covenant, condition, restriction, rule, regulation, 48  
bylaw, governing document, or agreement or a construction of any 49  
of these items that violates division (A) of this section is 50  
against public policy and unenforceable in any court of this 51  
state to the extent it violates that division. 52

(C) As used in this section, "political" means that a yard 53  
sign endorses a particular political candidate, party, or belief 54  
and does not violate section 2927.12 of the Revised Code or 18 55  
U.S.C. 249. 56

**Section 2.** That existing section 5301.072 of the Revised 57  
Code is hereby repealed. 58