As Introduced

136th General Assembly
Regular Session
2025-2026

S. B. No. 492

Senator DeMora

To amend section 5301.072 and to enact section 5307.073 of the Revised Code to prohibit homeowners associations from restricting the gathering of signatures or the display of yard signs.

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

Section 1. That section 5301.072 be amended and section 5307.073 of the Revised Code be enacted to read as follows:

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

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

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

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

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

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

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

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

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

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

(4) The display of a service flag approved by the United States secretary of defense for display in a window of the residence of a member of the immediate family of an individual serving in the armed forces of the United States. A service flag includes a blue star banner, a gold star banner, and any other flag the secretary of defense designates as a service flag.

(5) The display of yard signs, if displayed in accordance with any state law, local ordinance or resolution, or a

proclamation by the governor of the state.

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

Sec. 5307.073. (A) No covenant, condition, or restriction set forth in a deed, and no rule, regulation, bylaw, or other governing document or agreement of a homeowners, neighborhood, civic, or other association, shall prohibit or be construed to prohibit the gathering of signatures for a declaration of candidacy, nominating petition, declaration of intent to be a write-in candidate, initiative petition, referendum petition, recall petition, or any other kind of petition.

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

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