

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 886

Introduced by Conrad, 46.

Read first time January 03, 2024

Committee: Judiciary

1 A BILL FOR AN ACT relating to homeowner associations; to provide
2 restrictions and exceptions for the regulation of political signs as
3 prescribed.

4 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) For purposes of this section, homeowner association
2 means a nonprofit corporation duly incorporated under the laws of the
3 State of Nebraska for the purpose of enforcing the restrictive covenants
4 established upon the real property legally described in the articles of
5 incorporation which is located within the corporate limits of a
6 municipality, each member of which is an owner of a lot located within
7 the plat or subdivision and, by virtue of membership or ownership of a
8 lot, is obligated to pay costs for the administration, maintenance, and
9 care of the common area within the plat or subdivision. A homeowner
10 association includes associations of residential homeowners,
11 nonresidential property owners, or both.

12 (2) Except as otherwise provided by this section, a homeowner
13 association may not adopt or enforce a restrictive covenant that
14 prohibits a property owner from displaying political signs on the owner's
15 property advertising a candidate or a ballot measure in an election for
16 which such signs pertain for the period beginning ninety days before the
17 election and ending ten days after the election.

18 (3) This section does not prohibit the adoption or enforcement of a
19 covenant:

20 (a) Requiring a sign to be mounted to the ground;

21 (b) Limiting a property owner to displaying only one sign for each
22 candidate or each ballot measure; or

23 (c) Prohibiting a sign that:

24 (i) Contains roofing material, siding, paving materials, flora, one
25 or more balloons or lights, or any other similar building, landscaping,
26 or nonstandard decorative component;

27 (ii) Is attached in any way to plant material, a traffic control
28 sign or device, a light pole, a trailer, a vehicle, or any other similar
29 object;

30 (iii) Includes the painting of architectural surfaces;

31 (iv) Threatens public health or safety;

1 (v) Is larger than four feet by six feet;

2 (vi) Contains language, graphics, or any display that would be
3 offensive to the ordinary person;

4 (vii) Is accompanied by music or other sounds or by streamers or is
5 otherwise distracting to passing motorists; or

6 (viii) Violates any law.

7 (4) A homeowner association may remove a sign that is displayed in
8 violation of any restrictive covenant not prohibited by this section.