

## 1 SENATE BILL NO. 198

2 INTRODUCED BY J. COHENOUR

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING VEHICLE PARKING LAWS; RESTRICTING A  
 5 HOMEOWNERS' ASSOCIATION FROM PROHIBITING A RESIDENT FROM PARKING CERTAIN  
 6 EMERGENCY VEHICLES OR LAW ENFORCEMENT VEHICLES; AND AMENDING SECTION 70-1-522,  
 7 MCA."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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11 **Section 1.** Section 70-1-522, MCA, is amended to read:

12 **"70-1-522. Certain restrictions on parking restrictions of first-responder vehicles and on**  
 13 **political free speech contrary to public policy -- enforcement prohibited -- definitions.** (1) A person,  
 14 homeowners' association, property owners' association, corporation, or other private entity may not, as a  
 15 condition of property ownership within the jurisdiction of the private entity or by other means:

16 (a) prohibit a resident from parking an authorized emergency vehicle, a police vehicle, or a highway  
 17 patrol vehicle in a parking space in which the resident is allowed to park a vehicle; or

18 (b) prohibit the placement of a sign advocating the election, appointment, or defeat of a candidate for  
 19 public office or the passage or defeat of a ballot issue on:

20 ~~(a)~~(i) property belonging to individual or joint property owners who authorize the placement of the  
 21 sign; or

22 ~~(b)~~(ii) common areas in which an owner owns an undivided interest.

23 (2) A person, homeowners' association, property owners' association, corporation, or other private  
 24 entity may impose limits on the size of signs allowed to be displayed within the jurisdiction of the private entity  
 25 and may regulate the location of sign placement and the time period during which signs may be displayed.

26 (3) An ordinance, covenant, contract term, or other provision, whether agreed to or not between the  
 27 homeowners' association, property owners' association, corporation, or other private entity and the owner or  
 28 tenant, contrary to subsection (1), is contrary to the public policy of this state. A court may not enforce the terms

1 of an ordinance, covenant, contract term, or other provision that is contrary to public policy under this section.

2 (4) As used in this section:

3 (a) ~~"ballot issue" and "candidate" have the meanings provided in 13-1-101.~~ "authorized emergency

4 vehicle" has the meaning provided in 61-8-102; and

5 (b) "ballot issue" and "candidate" have the meanings provided in 13-1-101."

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