SENATE BILL No. 540

Introduced by Senator Kehoe

February 18, 2005

An act to add Section 1940.3 to the Civil Code, relating to tenancy.

LEGISLATIVE COUNSEL'S DIGEST

SB 540, as introduced, Kehoe. Tenancy: signs and flags.

Existing law regulates the terms and conditions of residential tenancies. Existing law prohibits a landlord for interfering with a tenant's quiet enjoyment of the premises.

This bill would prohibit a landlord from prohibiting a tenant from posting or displaying noncommercial signs, posters, flags, or banners on or within any portion of premises leased by the tenant, unless the posting or display would violate a local, state, or federal law. The bill would state that its provisions are declaratory of existing law.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1940.3 is added to the Civil Code, to
2 read:
3 1940.3. (a) A landlord shall not prohibit a tenant from
4 posting or displaying noncommercial signs, posters, flags, or
5 banners on or within any portion of premises leased by the
6 tenant, unless the posting or display would violate a local, state,
7 or federal law.
8 (b) The Legislature finds and declares that this section is
9 declaratory of existing law.

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