

**Assembly Bill No. 2339**

CHAPTER 493

An act to amend Section 5272 of the Business and Professions Code, relating to outdoor advertising.

[Approved by Governor September 28, 2008. Filed with  
Secretary of State September 28, 2008.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2339, Solorio. Advertising displays.

The Outdoor Advertising Act provides for the regulation by the Department of Transportation of advertising displays, as defined, within view of public highways. The act exempts from its provisions certain advertising displays that advertise the business conducted or services rendered or goods produced or sold on the property upon which the display is placed, as specified.

This bill would also exempt from the provisions of the act certain advertising displays in existence before January 1, 2009, at an arena located on public land with a capacity of 5,000 seats or more that provides a permanent venue for professional sports, and that advertises products, goods, or services that are or will be sold on the premise of the arena on a regular basis pursuant to an agreement of at least one year duration between the vendor or business and the property owner, facility owner, or facility operator.

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

SECTION 1. Section 5272 of the Business and Professions Code is amended to read:

5272. With the exception of Article 4 (commencing with Section 5300) and Sections 5400 and 5404, inclusive, nothing contained in this chapter applies to any advertising display that is used exclusively for any of the following purposes:

(a) To advertise the sale, lease, or exchange of real property upon which the advertising display is placed.

(b) To advertise directions to, and the sale, lease, or exchange of, real property for which the advertising display is placed; provided, that the exemption of this paragraph does not apply to advertising displays visible from a highway and subject to the Highway Beautification Act of 1965 (23 U.S.C., Sec. 131).

(c) To designate the name of the owner or occupant of the premises or to identify the premises.

(d) To advertise the business conducted or services rendered or the goods produced or sold upon the property upon which the advertising display is placed if the display is upon the same side of the highway and within 1,000 feet of the point on the property or within 1,000 feet of the entrance to the site at which the business is conducted or services are rendered or goods are produced or sold.

(e) (1) To advertise any products, goods, or services sold by persons on the premise of an arena pursuant to all of the following conditions:

(A) The arena is located on public land.

(B) The arena provides a venue for professional sports on a permanent basis.

(C) The arena has a capacity of 5,000 or more seats.

(D) The arena has an advertising display in existence before January 1, 2009.

(E) The products, goods, or services advertised are or will be offered for sale by persons on a regular basis during the term of an agreement between the vendor or business whose products, goods, or services are sold and the property owner, facility owner, or facility operator, and the term of the agreement is a minimum of one year.

(2) An advertising display authorized pursuant to this subdivision shall not advertise products, goods, or services directed at an adult population, including, but not limited to, alcohol, tobacco, gambling, or sexually explicit material.