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# A BILL FOR AN ACT

RELATING TO STATE FACILITIES.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1 SECTION 1. Chapter 102, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4 "§102- Applicability; exception. This chapter shall not  
5 apply to concessions within the stadium facility."

6 SECTION 2. Chapter 109, Hawaii Revised Statutes, is  
7 amended by adding a new section to be appropriately designated  
8 and to read as follows:

9 "§109- Stadium facility; naming rights; marketing;  
10 advertising. (a) Notwithstanding any law to the contrary,  
11 chapter 102 shall not apply to concessions within the stadium  
12 facility.

13 (b) The stadium authority may lease the naming rights of  
14 the stadium facility or any portion of the stadium facility or  
15 building therein to any public or private entity.

16 (c) Any revenues derived from advertising or marketing in  
17 or on the stadium facility, including revenues derived under



1 subsection (b), shall be deposited into the stadium development  
2 special fund under section 109-3.5."

3 SECTION 3. Section 109-3.5, Hawaii Revised Statutes, is  
4 amended by amending subsection (a) to read as follows:

5 "(a) There is established in the state treasury the  
6 stadium development special fund, into which funds collected by  
7 the stadium authority shall be deposited, including:

8 (1) All revenues from the stadium development district,  
9 including but not limited to [agreements]:

10 (A) Any agreement or [actions] action generating  
11 revenue related to stadium operations~~[ ]~~;

12 (B) The lease or rental of facilities or land~~[ ]~~  
13 concessions~~[ ]~~;

14 (C) Advertising or marketing, including revenues  
15 derived under section 109- ;

16 (D) Any concession;

17 (E) The food and beverage~~[ ]~~ service;

18 (F) The parking~~[ ]~~ facilities;

19 (G) Sponsorship and advertising~~[ ]~~ and;

20 (H) Utilities, infrastructure, and development;



1 (2) All gifts or grants awarded in any form from any  
2 public agency or any other source for purposes of the  
3 stadium development district;

4 (3) All proceeds from revenue bonds issued for the purpose  
5 of the stadium development district; and

6 (4) Appropriations made by the legislature to the fund."

7 SECTION 4. Section 445-112, Hawaii Revised Statutes, is  
8 amended to read as follows:

9 **"§445-112 Where and when permitted.** No person shall  
10 erect, maintain, or use a billboard or display any outdoor  
11 advertising device, except as provided in this section:

12 (1) The display of official notices and signs, posted by  
13 order of any court or public office, or posted by any  
14 public officer in the performance of a public duty, or  
15 posted by any person required to do so by any law or  
16 rule having the force of law;

17 (2) Any outdoor advertising device announcing a meeting or  
18 series of meetings is not prohibited by this section  
19 if displayed on the premises where the meeting or  
20 series of meetings will be or is being held. Meeting,  
21 as used in this section, includes all meetings



1           regardless of whether open to the public or conducted  
2           for profit and includes but is not limited to sports  
3           events, conventions, fairs, rallies, plays, lectures,  
4           concerts, motion pictures, dances, and religious  
5           services;

6           (3) Any outdoor advertising device indicating that the  
7           building or premises on which it is displayed is the  
8           residence, office, or place of business, commercial or  
9           otherwise, of any individual, partnership, joint  
10          venture, association, club, or corporation, and  
11          stating the nature of the business;

12          (4) Any outdoor advertising device that advertises  
13          property or services that may be bought, rented, sold,  
14          or otherwise traded in on the premises or in the  
15          building on which the outdoor advertising device is  
16          displayed;

17          (5) The offering for sale of merchandise bearing  
18          incidental advertising, including books, magazines,  
19          and newspapers, in any store, newsstand, vending  
20          machine, rack, or other place where such merchandise  
21          is regularly sold;



- 1           (6) Any outdoor advertising device offering any land,  
2           building, or part of a building for sale or rent, if  
3           displayed on the property so offered or on the  
4           building so offered;
- 5           (7) Any outdoor advertising device carried by persons or  
6           placed upon vehicles used for the transportation of  
7           persons or goods, except as provided under section  
8           445-112.5, relating to vehicular advertising devices;
- 9           (8) Any outdoor advertising device warning the public of  
10          dangerous conditions that they may encounter in nearby  
11          sections of streets, roads, paths, public places,  
12          power lines, gas and water mains, or other public  
13          utilities;
- 14          (9) Signs serving no commercial purpose that indicate  
15          places of natural beauty, or of historical or cultural  
16          interest and that are made according to designs  
17          approved by the department of business, economic  
18          development, and tourism;
- 19          (10) Any outdoor advertising device or billboard erected,  
20          placed, or maintained upon a state office building, if  
21          erected, placed, or maintained by authority of a state



- 1 agency, department, or officer for the sole purpose of  
2 announcing cultural or educational events within the  
3 State, and if the design and location thereof has been  
4 approved by the department of business, economic  
5 development, and tourism;
- 6 (11) Signs urging voters to vote for or against any person  
7 or issue, may be erected, maintained, and used, except  
8 where contrary to or prohibited by law;
- 9 (12) Signs stating that a residence that is offered for  
10 sale, lease, or rent is open for inspection at the  
11 actual time the sign is displayed and showing the  
12 route to the residence; provided that the sign  
13 contains no words or designs other than the words  
14 "Open House", the address of the residence, the name  
15 of the person or agency responsible for the sale, and  
16 an arrow or other directional symbol and is removed  
17 during such time as the residence is not open for  
18 inspection;
- 19 (13) The erection, maintenance, and use of billboards if  
20 the billboard is used solely for outdoor advertising  
21 devices not prohibited by this section;



- 1           (14) The continued display and maintenance of outdoor  
2           advertising devices actually displayed on  
3           July 8, 1965, in accordance with all laws and  
4           ordinances immediately theretofore in effect;
- 5           (15) The continued maintenance of any billboard actually  
6           maintained on July 8, 1965, and the display thereon of  
7           the same or new advertising devices, all in accordance  
8           with all laws and ordinances in effect immediately  
9           prior to July 9, 1965;
- 10          (16) Any outdoor advertising device, displayed with the  
11          authorization of the [~~University~~] university of  
12          Hawaii, on any scoreboard of any stadium owned by the  
13          university. An outdoor advertising device displayed  
14          under this paragraph shall be on the front of the  
15          scoreboard and face the interior of the stadium;
- 16          (17) Any temporary outdoor advertising device attached to  
17          or supported by the structure of any stadium owned by  
18          the [~~University~~] university of Hawaii, located within  
19          and facing the interior of the stadium, and authorized  
20          to be displayed by the university. For the purpose of  
21          this paragraph, "temporary" means displayed for a



1 short period before the official start of organized  
2 athletic competition, during the organized athletic  
3 competition, and for a short period after the official  
4 end of the organized athletic competition;

5 (18) Any outdoor advertising device, displayed with the  
6 authorization of the stadium authority, on any  
7 scoreboard of any stadium operated by the stadium  
8 authority. An outdoor advertising device displayed  
9 under this paragraph shall be on the front of the  
10 scoreboard and face the interior of the stadium; [and]

11 (19) Any outdoor advertising device, displayed with the  
12 authorization of the stadium authority, on the  
13 exterior of any stadium operated by the stadium  
14 authority. An outdoor advertising device displayed  
15 under this paragraph shall be limited to the name of  
16 any entity that leased the naming rights of the  
17 stadium from the stadium authority; and

18 [~~(19)~~] (20) Any outdoor advertising device, displayed with  
19 the authorization of the city and county of Honolulu,  
20 on the scoreboard of the Waipio peninsula soccer  
21 stadium. The outdoor advertising device shall be:



- 1 (A) Attached to the bottom of the scoreboard;
- 2 (B) No longer than the width of the scoreboard; and
- 3 (C) No higher than twenty-five per cent of the
- 4 scoreboard height.

5 The scoreboard shall be no larger than twenty-eight  
6 feet by ten feet. Any outdoor advertising device  
7 displayed pursuant to this paragraph shall be on the  
8 front of the scoreboard and face the interior of the  
9 stadium; provided that the outdoor advertising device  
10 shall not be visible from any thoroughfare."

11 SECTION 5. Statutory material to be repealed is bracketed  
12 and stricken. New statutory material is underscored.

13 SECTION 6. This Act shall take effect on July 1, 3000.



**Report Title:**

Stadium Authority; Hawaii Tourism Authority; Naming Rights; Stadium; Concessions; Advertising; Marketing; Stadium Development Special Fund

**Description:**

Exempts concessions within the Stadium Facility from chapter 102, HRS. Allows the naming rights of the Stadium Facility to be leased to any public or private entity. Requires any revenues derived from advertising or marketing in or on the Stadium Facility to be deposited into the Stadium Development Special Fund. Authorizes the display of the name of any entity that leased the naming rights to a stadium operated by the Stadium Authority on the exterior of the stadium. Effective 7/1/3000. (HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

