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# A BILL FOR AN ACT

RELATING TO THE CONVENTION CENTER.

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

1 SECTION 1. The purpose of this Act is to:

2 (1) Authorize the Hawaii tourism authority to sell or  
3 lease naming rights of the convention center facility;  
4 and

5 (2) Facilitate advertising and marketing in or on the  
6 facility.

7 SECTION 2. Chapter 201B, Hawaii Revised Statutes, is  
8 amended by adding a new section to be appropriately designated  
9 and to read as follows:

10 "§201B- Convention center facility; naming rights;  
11 marketing; advertising. (a) Notwithstanding any law to the  
12 contrary, chapter 102 shall not apply to concessions in or on  
13 the convention center facility.

14 (b) The authority may sell or lease the naming rights of  
15 the convention center facility or any portion of the convention  
16 center facility to any public or private entity.



1        (c) Any revenues derived from advertising or marketing in  
2 or on the convention center facility, including revenues derived  
3 under subsection (b), shall be deposited into the convention  
4 center enterprise special fund under section 201B-8."

5        SECTION 3. Section 201B-8, Hawaii Revised Statutes, is  
6 amended by amending subsection (a) to read as follows:

7        "(a) There is established the convention center enterprise  
8 special fund, into which shall be deposited:

9        (1) A portion of the revenues from the transient  
10 accommodations tax, as provided by section 237D-6.5;

11        (2) All revenues or moneys derived from the operations of  
12 the convention center to include all revenues from  
13 [the]:

14        (A) The food and beverage service~~[, all revenues from~~  
15 ~~the];~~

16        (B) The parking facilities ~~[or from any];~~

17        (C) Any concession~~[, and all revenues from the];~~

18        (D) Advertising or marketing, including revenues  
19 under section 201B-     ; and



1           (E) The sale of souvenirs, logo items, or any other  
2                           items offered for purchase at the convention  
3                           center;

4           (3) Private contributions, interest, compensation, gross  
5                           or net revenues, proceeds, or other moneys derived  
6                           from any source or for any purpose arising from the  
7                           use of the convention center facility; and

8           (4) Appropriations by the legislature for marketing the  
9                           facility pursuant to section 201B-7(a) (7)."

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

12          "**§445-112 Where and when permitted.** No person shall  
13 erect, maintain, or use a billboard or display any outdoor  
14 advertising device, except as provided in this section:

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

20           (2) Any outdoor advertising device announcing a meeting or  
21                           series of meetings is not prohibited by this section



1 if displayed on the premises where the meeting or  
2 series of meetings will be or is being held. Meeting,  
3 as used in this section, includes all meetings  
4 regardless of whether open to the public or conducted  
5 for profit and includes [~~but is not limited to~~] sports  
6 events, conventions, fairs, rallies, plays, lectures,  
7 concerts, motion pictures, dances, and religious  
8 services;

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

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

20 (5) The offering for sale of merchandise bearing  
21 incidental advertising, including books, magazines,



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



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



- 1           (13) The erection, maintenance, and use of billboards if  
2           the billboard is used solely for outdoor advertising  
3           devices not prohibited by this section;
- 4           (14) The continued display and maintenance of outdoor  
5           advertising devices actually displayed on  
6           July 8, 1965, in accordance with all laws and  
7           ordinances immediately theretofore in effect;
- 8           (15) The continued maintenance of any billboard actually  
9           maintained on July 8, 1965, and the display thereon of  
10          the same or new advertising devices, all in accordance  
11          with all laws and ordinances in effect immediately  
12          prior to July 9, 1965;
- 13          (16) Any outdoor advertising device, displayed with the  
14          authorization of the University of Hawaii, on any  
15          scoreboard of any stadium owned by the university. An  
16          outdoor advertising device displayed under this  
17          paragraph shall be on the front of the scoreboard and  
18          face the interior of the stadium; .
- 19          (17) Any temporary outdoor advertising device attached to  
20          or supported by the structure of any stadium owned by  
21          the University of Hawaii, located within and facing



1 the interior of the stadium, and authorized to be  
2 displayed by the university. For the purpose of this  
3 paragraph, "temporary" means displayed for a short  
4 period before the official start of organized athletic  
5 competition, during the organized athletic  
6 competition, and for a short period after the official  
7 end of the organized athletic competition;

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

14 (19) Any outdoor advertising device, displayed with the  
15 authorization of the city and county of Honolulu, on  
16 the scoreboard of the Waipio peninsula soccer stadium.

17 The outdoor advertising device shall be:

- 18 (A) Attached to the bottom of the scoreboard;  
19 (B) No longer than the width of the scoreboard; and  
20 (C) No higher than twenty-five per cent of the  
21 scoreboard height.





1           The scoreboard shall be no larger than twenty-eight  
 2           feet by ten feet. Any outdoor advertising device  
 3           displayed pursuant to this paragraph shall be on the  
 4           front of the scoreboard and face the interior of the  
 5           stadium; provided that the outdoor advertising device  
 6           shall not be visible from any thoroughfare[-]; and

7           (20) Any advertising device, displayed with the  
 8           authorization of the Hawaii tourism authority, inside  
 9           the convention center facility that is the same size,  
 10           illumination, color, and in the same location as the  
 11           existing "Hawaii Convention Center" sign that is in  
 12           place as of the effective date of this Act."

13           SECTION 5. Statutory material to be repealed is bracketed  
 14           and stricken. New statutory material is underscored.

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

**Report Title:**

HTA; Convention Center; Naming Rights; Advertising; Marketing

**Description:**

Exempts the Convention Center from certain requirements regarding concessions on public property. Authorizes the Hawaii Tourism Authority to sell or lease naming rights of the Hawaii Convention Center Facility. Facilitates advertising and marketing in and on the Hawaii Convention Center Facility. 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.*

