JOSH GREEN, M.D. GOVERNOR KE KIA'ĀINA



GOV. MSG. NO. 1405

EXECUTIVE CHAMBERS KE KE'ENA O KE KIA'ĀINA

July 3, 2025

The Honorable Ronald D. Kouchi President of the Senate, and Members of the Senate Thirty-Third State Legislature State Capitol, Room 409 Honolulu, Hawai'i 96813 The Honorable Nadine Nakamura Speaker, and Members of the House of Representatives Thirty-Third State Legislature State Capitol, Room 431 Honolulu, Hawai'i 96813

Aloha President Kouchi, Speaker Nakamura, and Members of the Legislature:

I am transmitting herewith S.B. 583 without my approval and with the statement of objections relating to the measure.

S.B. 583 RELATING TO NAMING RIGHTS.

Mahalo,

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Josh Green, M.D. Governor, State of Hawai'i

EXECUTIVE CHAMBERS HONOLULU July 3, 2025

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 583

Honorable Members Thirty-Third Legislature State of Hawai'i

Pursuant to Section 16 of Article III of the Constitution of the State of Hawai'i, I am returning herewith, without my approval, Senate Bill No. 583, entitled "A Bill for an Act Relating to Naming Rights."

The purposes of this bill are to allow the Stadium Authority to lease the naming rights for the stadium facility; to allow the Hawaii Tourism Authority to lease the naming rights for the Convention Center; to exempt the stadium facility and Convention Center from chapter 102, Hawaii Revised Statutes (HRS), *Concessions on Public Property*; to require that revenues derived from advertising and marketing in the stadium facility and Convention Center be deposited to the Stadium Development Special Fund and Convention Center Enterprise Special Fund, respectively; to amend sections 109-3.5 and 201B-8, HRS, specifying sources of revenue that must be deposited to the Stadium Development Special Fund, respectively; and to permit advertising on the outside of any stadium operated by the stadium authority with the name of any entity that leased the naming rights of the stadium from the stadium authority.

This bill is objectionable because the exceptions from chapter 102, which regulates bidding for concessions contracts, may likely be determined by a court to violate the single subject requirement of section 14 of article III of the State Constitution, which provides, in part: "Each law shall embrace but one subject, which shall be expressed in its title." The one subject expressed in this bill's title is "naming rights." Accordingly, the inclusion of exemptions relating to concessions contracts from chapter 102, HRS, in this bill expose it to constitutional challenge.

STATEMENT OF OBJECTIONS SENATE BILL NO. 583 Page 2

For the foregoing reasons, I am returning Senate Bill No. 583 without my

approval.

Respectfully,

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JOSH GREEN, M.D. Governor of Hawai'i

A BILL FOR AN ACT

VETO

S.B. NO. 583 S.D. 2

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RELATING TO NAMING RIGHTS.

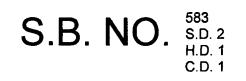
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1	SECTION 1. Chapter 109, Hawaii Revised Statutes, is
2	amended by adding a new section to be appropriately designated
3	and to read as follows:
4	<pre>"§109- Stadium facility; naming rights; marketing;</pre>
5	advertising. (a) Notwithstanding any law to the contrary,
6	chapter 102 shall not apply to concessions within the stadium
7	facility.
8	(b) The stadium authority may lease the naming rights of
9	the stadium facility or any portion of the stadium facility or
10	building therein to any public or private entity.
11	(c) Any revenues derived from advertising or marketing in
12	or on the stadium facility, including revenues derived under
13	subsection (b), shall be deposited into the stadium development
14	special fund under section 109-3.5."
15	SECTION 2. Chapter 201B, Hawaii Revised Statutes, is
16	amended by adding a new section to be appropriately designated
17	and to read as follows:

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1	" <u>§201B-</u> Convention center facility; naming rights;
2	marketing; advertising. (a) Notwithstanding any law to the
3	contrary, chapter 102 shall not apply to concessions in or on
4	the convention center facility.
5	(b) The authority may lease the naming rights of the
6	convention center facility or any portion of the convention
7	center facility to any public or private entity.
8	(c) Any revenues derived from advertising or marketing in
9	or on the convention center facility, including revenues derived
10	under subsection (b), shall be deposited into the convention
11	center enterprise special fund under section 201B-8."
12	SECTION 3. Section 109-3.5, Hawaii Revised Statutes, is
13	amended by amending subsection (a) to read as follows:
14	"(a) There is established in the state treasury the
15	stadium development special fund, into which funds collected by
16	the stadium authority shall be deposited, including:
17	(1) All revenues from the stadium development district,
18	including but not limited to [agreements]:
19	(A) Any agreement or [actions] action generating
20	revenue related to stadium operations $[\tau]$;

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1		<u>(B)</u>	The lease or rental of facilities or land,
2			[concessions,];
3		<u>(C)</u>	Advertising or marketing, including revenues
4			derived under section 109- ;
5		<u>(D)</u>	Any concession;
6		<u>(E)</u>	The food and beverage [,] service;
7		<u>(F)</u>	The parking[, sponsorship] <u>facilities;</u>
8		<u>(G)</u>	Sponsorship and advertising[,utilitics and]; and
9		<u>(H)</u>	Utilities, infrastructure, and development;
10	(2)	All	gifts or grants awarded in any form from any
11		publ	ic agency or any other source for purposes of the
12		stad	ium development district;
13	(3)	All j	proceeds from revenue bonds issued for the purpose
14		of t	he stadium development district; and
15	(4)	Appro	opriations made by the legislature to the fund."
16	SECT	ION 4	. Section 201B-8, Hawaii Revised Statutes, is
17	amended by	y ame	nding subsection (a) to read as follows:
18	"(a)	The:	re is established the convention center enterprise
19	special fu	und, i	into which shall be deposited:
20	(1)	A po:	rtion of the revenues from the transient
21		accor	nmodations tax, as provided by section 237D-6.5;

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1	(2)	All	revenues or moneys derived from the operations of
2		the	convention center to include all revenues from
3		[the	1 <u>:</u>
4		(A)	The food and beverage service[, all revenues from
5			the] <u>;</u>
6		<u>(B)</u>	<u>The</u> parking facilities [or from any];
7		<u>(C)</u>	Any concession[, and all revenues from the];
8		(D)	The sale of souvenirs, logo items, or any other
9			items offered for purchase at the convention
10			center; and
11		<u>(E)</u>	Advertising or marketing, including revenues
12			derived under section 201B- ;
13	(3)	Priva	ate contributions, interest, compensation, gross
14		or ne	et revenues, proceeds, or other moneys derived
15		from	any source or for any purpose arising from the
16		use o	of the convention center facility; and
17	(4)	Appro	opriations by the legislature for marketing the
18		faci	lity pursuant to section 201B-7(a)(7)."
19	SECT	ION 5	. Section 445-112, Hawaii Revised Statutes, is
20	amended to	o read	d as follows:

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1	"§ 44	5-112 Where and when permitted. No person shall
2	erect, ma	aintain, or use a billboard or display any outdoor
3	advertisi	ng device, except as provided in this section:
4	(1)	The display of official notices and signs, posted by
5		order of any court or public office, or posted by any
6		public officer in the performance of a public duty, or
7		posted by any person required to do so by any law or
8		rule having the force of law;
9	(2)	Any outdoor advertising device announcing a meeting or
10		series of meetings is not prohibited by this section
11		if displayed on the premises where the meeting or
12		series of meetings will be or is being held. Meeting,
13		as used in this section, includes all meetings
14		regardless of whether open to the public or conducted
15		for profit and includes but is not limited to sports
16		events, conventions, fairs, rallies, plays, lectures,
17		concerts, motion pictures, dances, and religious
18		services;
19	(3)	Any outdoor advertising device indicating that the
20		building or premises on which it is displayed is the
21		residence, office, or place of business, commercial or

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1		otherwise, of any individual, partnership, joint
2		venture, association, club, or corporation, and
3		stating the nature of the business;
4	(4)	Any outdoor advertising device that advertises
5		property or services that may be bought, rented, sold,
6		or otherwise traded in on the premises or in the
7		building on which the outdoor advertising device is
8		displayed;
9	(5)	The offering for sale of merchandise bearing
10		incidental advertising, including books, magazines,
11		and newspapers, in any store, newsstand, vending
12		machine, rack, or other place where such merchandise
13		is regularly sold;
14	(6)	Any outdoor advertising device offering any land,
15		building, or part of a building for sale or rent, if
16		displayed on the property so offered or on the
17		building so offered;
18	(7)	Any outdoor advertising device carried by persons or
19		placed upon vehicles used for the transportation of
20		persons or goods, except as provided under section
21		445-112.5, relating to vehicular advertising devices;

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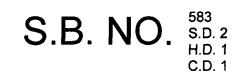


1 (8) Any outdoor advertising device warning the public of 2 dangerous conditions that they may encounter in nearby 3 sections of streets, roads, paths, public places, 4 power lines, gas and water mains, or other public 5 utilities; (9) 6 Signs serving no commercial purpose that indicate 7 places of natural beauty, or of historical or cultural 8 interest and that are made according to designs 9 approved by the department of business, economic 10 development, and tourism; 11 Any outdoor advertising device or billboard erected, (10)12 placed, or maintained upon a state office building, if 13 erected, placed, or maintained by authority of a state 14 agency, department, or officer for the sole purpose of 15 announcing cultural or educational events within the

16 State, and if the design and location thereof has been
17 approved by the department of business, economic
18 development, and tourism;

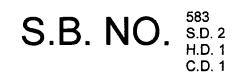
19 (11) Signs urging voters to vote for or against any person
20 or issue, may be erected, maintained, and used, except
21 where contrary to or prohibited by law;

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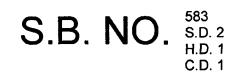
1	(12)	Signs stating that a residence that is offered for
2		sale, lease, or rent is open for inspection at the
3		actual time the sign is displayed and showing the
4		route to the residence; provided that the sign
5		contains no words or designs other than the words
6		"Open House", the address of the residence, the name
7		of the person or agency responsible for the sale, and
8		an arrow or other directional symbol and is removed
9		during such time as the residence is not open for
10		inspection;
11	(13)	The erection, maintenance, and use of billboards if
12		the billboard is used solely for outdoor advertising
13		devices not prohibited by this section;
14	(14)	The continued display and maintenance of outdoor
15		advertising devices actually displayed on
16		July 8, 1965, in accordance with all laws and
17		ordinances immediately theretofore in effect;
18	(15)	The continued maintenance of any billboard actually
19		maintained on July 8, 1965, and the display thereon of
20		the same or new advertising devices, all in accordance

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1		with all laws and ordinances in effect immediately
2		prior to July 9, 1965;
3	(16)	Any outdoor advertising device, displayed with the
4		authorization of the University of Hawaii, on any
5		scoreboard of any stadium owned by the university. An
6		outdoor advertising device displayed under this
7		paragraph shall be on the front of the scoreboard and
8		face the interior of the stadium;
9	(17)	Any temporary outdoor advertising device attached to
10		or supported by the structure of any stadium owned by
11		the University of Hawaii, located within and facing
12		the interior of the stadium, and authorized to be
13		displayed by the university. For the purpose of this
14		paragraph, "temporary" means displayed for a short
15		period before the official start of organized athletic
16		competition, during the organized athletic
17		competition, and for a short period after the official
18		end of the organized athletic competition;
19	(18)	Any outdoor advertising device, displayed with the
20		authorization of the stadium authority, on any
21		scoreboard of any stadium operated by the stadium

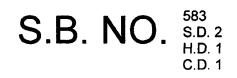
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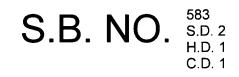
1		authority. An outdoor advertising device displayed
2		under this paragraph shall be on the front of the
3		scoreboard and face the interior of the stadium; [and]
4	(19)	Any outdoor advertising device, displayed with the
5		authorization of the stadium authority, on the
6		exterior of any stadium operated by the stadium
7		authority. Any outdoor advertising device displayed
8		under this paragraph shall be limited to the name of
9		any entity that leased the naming rights of the
10		stadium from the stadium authority; and
11	[(19)]	(20) Any outdoor advertising device, displayed with
12		the authorization of the city and county of Honolulu,
13		on the scoreboard of the Waipio peninsula soccer
14		stadium. The outdoor advertising device shall be:
15		(A) Attached to the bottom of the scoreboard;
16		(B) No longer than the width of the scoreboard; and
17		(C) No higher than twenty-five per cent of the
18		scoreboard height.
19		The scoreboard shall be no larger than twenty-eight
20		feet by ten feet. Any outdoor advertising device
21		displayed pursuant to this paragraph shall be on the

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1	front of the scoreboard and face the interior of the
2	stadium; provided that the outdoor advertising device
3	shall not be visible from any thoroughfare."
4	SECTION 6. Statutory material to be repealed is bracketed
5	and stricken. New statutory material is underscored.
6	SECTION 7. This Act shall take effect on July 1, 2025.



APPROVED this day of , 2025

GOVERNOR OF THE STATE OF HAWAI'I

S.B. No. 583, S.D. 2, H.D. 1, C.D. 1

THE SENATE OF THE STATE OF HAWAI'I

Date: April 30, 2025 Honolulu, Hawai'i 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate

of the Thirty-Third Legislature of the State of Hawai'i, Regular Session of 2025.

Fresident of the senate

Ount to

Clerk of the Senate

SB No. 583, SD 2, HD 1, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 30, 2025 Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the

House of Representatives of the Thirty-Third Legislature of the State of Hawaii, Regular Session

of 2025.

Madmie K. Muham

Nadine K. Nakamura Speaker House of Representatives

This, the

Brian L. Takeshita Chief Clerk House of Representatives