

# STATE OF NEW YORK

8539

## IN ASSEMBLY

January 8, 2024

Introduced by M. of A. BENEDETTO -- read once and referred to the  
Committee on Transportation

AN ACT to amend the general business law, in relation to prohibiting residential and commercial properties from erecting or installing digital billboards or signs that use flashing, intermittent or moving lights near certain Mitchell-Lama housing; and to amend a chapter of the laws of 2023 amending the general business law relating to prohibiting residential and commercial properties from operating digital billboards or signs that use flashing, intermittent or moving lights near certain Mitchell-Lama housing, as proposed in legislative bills numbers S.1931-B and A.7456-A, in relation to the effectiveness thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 397-b of the general business law, as added by a  
2 chapter of the laws of 2023 amending the general business law relating  
3 to prohibiting residential and commercial properties from operating  
4 digital billboards or signs that use flashing, intermittent or moving  
5 lights near certain Mitchell-Lama housing, as proposed in legislative  
6 bills numbers S.1931-B and A.7456-A, is amended to read as follows:

7 § 397-b. Digital billboards. 1. All residential and commercial proper-  
8 ty within [~~fifteen hundred~~] one thousand feet of a building used as  
9 Mitchell-Lama housing with no fewer than ten thousand units within a  
10 city with a population of one million or more shall be prohibited from  
11 [~~operating~~] erecting or installing, after the effective date of this  
12 section, a digital billboard or other type of billboard or sign that  
13 uses flashing, intermittent or moving lights, and from operating such  
14 billboard. In cities with a population of one million or more, the  
15 provisions of this section may be enforced concurrently by the corpo-  
16 ration counsel or other lawful designee of such city.

17 2. As used in this section, the term "digital billboard" shall mean a  
18 one or multi-sided outdoor advertising sign that displays digital images  
19 using light-emitting diode technology or any such similar technology.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

LBD05118-09-4

1 ~~[3. Any municipality with property described under subdivision one of~~  
2 ~~this section may, by local law, expressly restrict or prohibit the use~~  
3 ~~of outdoor advertising signage within fifteen hundred feet of residen-~~  
4 ~~tial property.~~

5 ~~4. A violation of the provisions of this section shall be subject to a~~  
6 ~~civil penalty of one thousand dollars for the first violation, and five~~  
7 ~~thousand dollars for all subsequent violations.]~~

8 § 2. Section 2 of a chapter of the laws of 2023 amending the general  
9 business law relating to prohibiting residential and commercial proper-  
10 ties from operating digital billboards or signs that use flashing,  
11 intermittent or moving lights near certain Mitchell-Lama housing, as  
12 proposed in legislative bills numbers S.1931-B and A.7456-A, is amended  
13 to read as follows:

14 § 2. This act shall take effect [~~on the sixtieth day after it shall~~  
15 ~~have become a law] immediately.~~

16 § 3. This act shall take effect immediately; provided, however, that  
17 the amendments to section 397-b of the general business law made by  
18 section one of this act shall take effect on the same date and in the  
19 same manner as a chapter of the laws of 2023 amending the general busi-  
20 ness law relating to prohibiting residential and commercial properties  
21 from operating digital billboards or signs that use flashing, intermit-  
22 tent or moving lights near certain Mitchell-Lama housing, as proposed in  
23 legislative bills numbers S.1931-B and A.7456-A, takes effect.