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:

Section 1. Section 397-b of the general business law, as added by 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, is amended to read as follows:

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

2. As used in this section, the term "digital billboard" shall mean a one or multi-sided outdoor advertising sign that displays digital images 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.

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

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

§ 2. Section 2 of 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, is amended to read as follows:

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

§ 3. This act shall take effect immediately; provided, however, that the amendments to section 397-b of the general business law made by section one of this act shall take effect on the same date and in the same manner as 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, takes effect.