



Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 879 (as reported without amendment)
Sponsor: Senator Tupac A. Hunter
Committee: Transportation

CONTENT

The bill would create a new act to prohibit the owner or operator of a sexually oriented business, beginning January 1, 2011, from erecting, constructing, or maintaining on the premises of that business a sign that advertised or identified the business and was visible outdoors unless the sign displayed only words or numbers, or both. The words could not describe or relate to a specified sexual activity or certain anatomical areas (human genitals, pubic area, buttocks, anus, anal cleft, or female breasts). A sign authorized under the bill could display the sexually oriented business's or a credit card company's registered trademark.

A sign that violated the bill would be a nuisance, and the Attorney General or the attorney for a local unit of government where the sign was located could bring an action in circuit court to abate the nuisance.

A person who violated the bill would be responsible for a civil fine of at least \$5,000 and not more than \$10,000 for each day of violation. A fine collected under the bill would have to be distributed to public libraries.

If there were a conflict between the bill and a local zoning ordinance or the Highway Advertising Act or a rule promulgated under that Act, the more restrictive provision would apply.

Legislative Analyst: Curtis Walker

FISCAL IMPACT

The bill would increase local unit revenue to libraries by an unknown amount. It is unknown how many fines, or their total amounts, would be levied under the bill. Any fine revenue would be distributed to libraries. Enforcement of the bill's provisions should have a negligible impact on State and local expenses.

Date Completed: 10-20-09

Fiscal Analyst: David Zin