

Senate Bill 54

By: Senators Mullis of the 53rd, Staton of the 18th, Gooch of the 51st, Miller of the 49th, Jackson of the 24th and others

AS PASSED SENATE

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 2 of Article 3 of Chapter 6 of Title 32 of the Official Code of Georgia
2 Annotated, relating to advertising on the state highway system, so as to add a definition of
3 "on-premise" or "on-property" signs; to provide for related matters; to provide for an
4 effective date; to repeal conflicting provisions; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Part 2 of Article 3 of Chapter 6 of Title 32 of the Official Code of Georgia Annotated,
8 relating to advertising on the state highway system, is amended by adding a new paragraph
9 to Code Section 32-6-71, relating to definitions, as follows:

10 "(13.1) 'On-premise sign' or 'on-property sign' means an advertising device which solely
11 advertises the sale or lease of the real property upon which it is placed or an advertising
12 device identifying the activities located on or products or services available on the
13 premises or property.

14 (A) Examples of signs that can be used for the purpose of identifying the activity
15 located on the premises or property or its products or services include:

- 16 (i) Any sign which consists solely of the name of the establishment; and
- 17 (ii) Any sign which identifies the establishment's principal or accessory products or
18 services offered on the premises or property. For example, an accessory product
19 would be a brand of tires offered for sale at a service station.

20 (B) Examples of signs that shall be considered outdoor advertising and not on-premise
21 or on-property signs include:

- 22 (i) Any sign which brings in rental income to the owner of the premises or property
23 or the sign owner; and
- 24 (ii) Any sign in which the product or service advertised is only incidental to the
25 principal activity of the establishment."

26 **SECTION 2.**

27 Said part is further amended by revising paragraph (3) of Code Section 32-6-72, relating to
28 outdoor advertising signs that can be erected within 660 feet of a highway, as follows:

29 "~~(3) Signs advertising activities~~ On-premise and on-property signs conducted or
30 maintained within 100 feet of the nearest part of the activity as the dimensions of said
31 activity are determined by department regulations, which ~~regulations~~ need not take into
32 consideration the property lines of said activity;"

33 **SECTION 3.**

34 Said part is further amended by revising paragraph (3) of Code Section 32-6-73, relating to
35 outdoor advertising signs that can be erected beyond 660 feet of a highway, as follows:

36 "~~(3) Signs advertising activities~~ On-premise and on-property signs conducted or
37 maintained within 100 feet from the nearest part of the activity as the dimensions of said
38 activity are determined by department regulations, which ~~regulations~~ need not take into
39 consideration the property lines of said activity; and"

40 **SECTION 4.**

41 This Act shall become effective on July 1, 2011.

42 **SECTION 5.**

43 All laws and parts of laws in conflict with this Act are repealed.