



San Mateo County Bill Analysis Form

Date Submitted: May 8, 2025
Submitted Department: County Executive's Office
Contact Name: Connie Juarez-Diroll, Chief Legislative Officer
Contact Email: cjuarez-diroll@smcgov.org
Contact Phone: 650-599-1341

Reviewed and Approved by County Attorney
☒ Yes ☐ No

Reviewed and Approved by County Executive
☐ Yes ☐ No ☐ N/A

Senate Bill 456 Senator Ashby, District 8 Community Beautification Act

Version Date: April 2, 2025
☐ New bill ☒ Amended Bill ☐ Gut & Amend

Recommended Position

☐ Sponsor ☐ Support
☐ Support, if Amended ☐ Oppose
☒ Other - Supervisor Corzo requested that the Board support this measure.

Summary

Senate Bill (SB) 456 (Ashby) would exempt artists who paint murals from the provisions of the Contractor's License Law (License Law). This bill would allow muralists to continue to engage in commissioned work for public and private art without needing to obtain a contractor's license.

Background/Analysis

Existing law, the License Law, establishes the Contractors State License Board (CSLB) within the Department of Consumer Affairs and sets forth its powers and duties relating to the licensure and regulation of contractors as it pertains to the California construction industry. The four categories of contractor classifications include:

- A – General Engineering Contracting
- B – General Building Contracting
- B2 – Residential Remodeling Contracting
- C – Specialty Contracting

Contractors that require special skills for the performance of construction work—and whose primary business operations involve the use of specialized building trades or crafts—are considered under the "Specialty Contracting" category. This classification encompasses 43 specialties, one of which is the C-33 Painting and Decorating Contractor, where muralists also fall.

In addition, the CSLB is responsible for effectively implementing and enforcing the License Law, which includes securing annual licensing fee payments and prohibiting all unlicensed activity. Under current law, it is a misdemeanor for a person to engage in the business or act in the

capacity of a contractor without a license, unless exempted. Existing exemptions apply to single projects or undertakings with one or more contracts in which the total contract price for labor, materials, and other resources is less than \$1,000 and does not require a building permit, as well as nonprofit corporations assisting owners, among other things.

While muralists are primarily concerned with the decorative aspect of buildings and developments – painting building walls and/or ceilings – rather than dealing with the structural integrity of the building itself, artists are still required to meet certain conditions, pass an examination, and pay a fee to obtain their license. This type of artistic work is typically viewed as being outside the scope of work a licensed painting contractor would normally engage in; therefore, adding unnecessary barriers for muralists who use these platforms as opportunities for artistic expression. Failure to meet these state requirements means that local jurisdictions across California must either stall or completely end the implementation of locally approved art projects.

Many local entities across the state establish local mural programs to help beautify areas, promote neighborhood history and culture, and create economic opportunities in often underserved communities. San Mateo County's Office of Arts and Culture collaborates with County agencies to develop and execute these diverse public art projects. For example, more recently, the County enlisted artists for projects at the Cordilleras Mental Health Facility, Youth Services Center, and Navigation Center. These partnerships highlight the critical role muralists play in transforming public spaces and enriching communities through the art of storytelling.

The Bill

SB 456 (Ashby), co-sponsored by the California Arts Advocates and League of California Cities, does the following:

- Exempts from the License Law an artist who draws, paints, applies, executes, restores, or conserves a mural under an agreement with a person who could legally authorize the work.

For purposes of this bill, a “mural” is also defined as a unique work of fine art that is protected by copyright, trademark, label, or patent and that is drawn or painted by hand directly onto interior or exterior walls or ceilings, fixtures, or other appurtenances of a building or structure. The definition does not include painted wall signs.

Recommended Solution

Adopting a resolution to support SB 456 would align with the efforts outlined by the Office of Arts and Culture and the Arts Commission to continue shaping innovative cultural policies, creating inclusive and diverse programming, investing in the creative economy, and, most importantly, ensuring access to art and culture for all.

Departments Impacted

Office of Arts and Culture

- The County’s Office of Arts and Culture indicates that various cities throughout the County are actively adding murals to bring a greater sense of joy, awareness, connectedness, and beauty to their communities. Many of the murals are community-based, such as the North Fair Oaks Healthy Community Mural and the Redwood City Equity Mural, which sought input from residents in the areas where the murals were being installed. Although the state licensing requirement has existed for many years, very few, including both artists and municipalities, are aware of this licensing requirement. This is primarily due to a lack of state enforcement. However, recent public notices to municipalities have reminded local entities that there will be penalties if they are not followed correctly. As a result, this has led to the cancellation of County projects due to the fear of being targeted and penalized for not having the proper license. The Office of Arts and Culture has spoken to muralists, many of whom have been in the field for years, and none of them hold an existing permit. This licensing exemption would help save jobs and support the addition of art in our communities.

Fiscal Impact

SB 456 would have no fiscal impacts on the County of San

Mateo. However, if implemented, the bill would result in approximately \$450 in cost savings per artist. This is roughly the amount it costs for an individual to submit a licensing application.

Support

California Arts Advocates (co-source)
League of California Cities (co-source)
A.B.O. Comix
American Federation of Musicians, Local 7
Armory Center for the Arts
Arroyo Grande Public Art
Arts Benicia
Arts Consortium
Arts Council for Long Beach
Arts Council of Mendocino County
Arts Council of Placer County
Arts Council Santa Cruz County
Arts for a Better Bay Area
Arts for LA
Arts Orange County
Arts4mc
Atrium 916 Creative Innovation Center for Sustainability
Atthowe Fine Arts Services
Badger Branding
BardolaLA
Beautify Earth
Blue Line Arts
Brush of Creativity
California Arts Advocates
California Association of Museums
California Desert Arts Council
California Outdoor Hospitality Association
California Public Art Administrators
California Travel Association
Californians for the Arts
Calle 24 Latino Cultural District
Cannabis Travel Authority
CASA 0101
CasaQ
Celebration Theatre
City Garage
City of Albany
City of Buena Park
City of Covina
City of Culver City
City of Escondido
City of Fullerton
City of Glendale
City of Lafayette
City of Laguna Beach
City of Milpitas
City of Moorpark
City of Morgan Hill

City of Mountain View
City of Norwalk
City of Oakland
City of Palo Alto
City of Point Arena
City of Rancho Cordova
City of Redwood City
City of Riverside
City of Sacramento
City of Simi Valley
City of South San Francisco
City of San Luis Obispo
City of Santa Monica
City of Stockton
City of Thousand Oaks
City of Tustin
City of Vista
Community Rejuvenation Project
Creative Sonoma
DSTL Arts
EQUALdotBRACKET
Family Resource Center
Holistic Honu Wellness Center
Honeygirl Signs & Designs
Ink Dwell
Jaya King INC.
Jumbo Jibbles
Junior Center of Art and Science
Kim Maxwell Studio
L Start Murals
Levitt Pavilion Los Angeles
Little Hill Real Estate
Marin Society of Artists
Mixed Media Mosaic Artist As Meraki Art
Museum of African American Art
Music Changing Lives
National Independent Venue Association of California New
Canon Theatre
Orange County Business Council
Oxnard Performing Arts Center Corp
Plumas Arts
Pogo Park
Public Art
Riverside Arts Council
San Benito County Arts Council
San Diego Art Directory
San Diego Art Matters
Sara Daleiden Consulting
ShadowLight Productions
SHHAA Sustainable Holistic Healing Arts & Activations
Slate Art LLC dba Slate Art Consulting
Spike Island
St. Bonaventure High School
Stein's Hollow
Stockton Art League

Tahoe Art League
The Center for Cultural Power
The Museum of The San Fernando Valley
The TOaG Quartet
The Unity Council
Visit California
Voices of the Community
West End Arts District
White Hall Arts Academy
1 AM projects - Sf Mural Company
Individual Artists

Opposition

Fight Back in Sac

Status

4/22/25—Senate Floor (Third Reading).