



Senator Angelique V. Ashby, 8th Senate District

SB 456 – Community Beautification Act

Supporting public art, protecting muralists, and expanding our creative economy

SUMMARY

SB 456 creates a licensing exemption for muralists, which will allow them to continue to engage in commissioned work for public and private art without obtaining a contractor's license, as has been standard practice.

BACKGROUND

Murals are powerful tools for transforming neighborhoods and improving civic pride. Public art and murals are proven drivers of enhancing community and economic health, attracting tourists, supporting jobs, generating revenue, and improving public safety and well-being. For example, Sacramento's Wide Open Walls mural festival has brought over 200 murals to the city, sparking local pride and stimulating the creative economy.

However, current law has led to confusion regarding licensing requirements for muralists. In 2023, public notices began being issued to municipalities indicating that muralists fall within the definition of a "contractor" under Business and Professions Code Section 7026. Prior to those notices, state regulators interpreted the law to not cover muralists.

As a result, public agencies and private parties that commission a muralist must first ensure they carry a contractor's license if they undertake a mural for more than \$500, even though historically this has not been standard practice for muralists.

THE PROBLEM

Due to these licensure requirements, cities across California have been instructing their public arts administrators to cease or stall the implementation of mural projects. This creates significant roadblocks for initiatives, like the State's Clean CA Program,

which seeks to beautify public spaces like highways, local roads, parks, and pathways.¹

Requiring muralists to obtain a contractor's license imposes significant challenges. To qualify for these commercial licenses, muralists must accumulate four years of specialized experience under a licensed contractor, pass the Law and Business examination, and pay annual licensing fees.² These requirements not only create unnecessary barriers to work on public art projects, but also expose city employees and artists to fines if such requirements are not met.

These licensure requirements violate the California Arts Preservation Act, which protects an artist's authorship rights and distinguishes the difference from commercial painting.³ Painting walls for commercial or decorative purposes does not receive these same protections, furthering the distinction between muralists and commercial painters.

Murals are considered works of art, protected under federal copyright laws and are fundamentally different from construction projects.

THE SOLUTION

SB 456 clarifies standard practice of current law and adds "muralist", narrowly defined, to the list of activities in the Business and Professions Code that are not subject to licensure.

Muralists provide a fundamentally different service than a painting contractor, as their work is an artistic expression, rather than addressing the structural integrity of a building. It is appropriate to provide a narrow exception to the state's licensing requirements for muralists, as SB 456 seeks to provide them with the statutory flexibility to continue their artistic expression.

¹ [Clean California](#)

² [Contractors State License Board](#)

³ [California Arts Preservation Act \(CAPA\)](#)

SUPPORT

California Arts Advocates (Co-sponsor)
League of California Cities (Co-sponsor)

FOR MORE INFORMATION

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