

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 SENATE BILL NO. 421

By: Stanislawski of the Senate

and

Sullivan of the House

6
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8 COMMITTEE SUBSTITUTE

9 [schools - advertising on transportation equipment

10 and auxiliary transportation equipment -

11 codification - effective date -

12 emergency]

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16 ~~BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:~~

17 SECTION 1. NEW LAW A new section of law to be codified

18 in the Oklahoma Statutes as Section 9-104.1 of Title 70, unless

19 there is created a duplication in numbering, reads as follows:

20 A. A school district board of education may award contracts for

21 the sale of advertising on the exterior of transportation equipment,

22 including school buses, and auxiliary transportation equipment as

23 defined in Section 9-104 of Title 70 of the Oklahoma Statutes.

1 B. Each school district board of education which elects to
2 allow the placement of advertising on transportation equipment or
3 auxiliary transportation equipment as provided for in this section
4 shall establish an advertising review board. The advertising review
5 board shall be composed of members as established by the board and
6 shall:

7 1. Approve the content of all district-wide advertising
8 programs consistent with any restrictions established by the board;

9 2. Provide direction and oversight of the advertising process;
10 and

11 3. Annually review the effectiveness of the advertising
12 programs and make necessary recommendations.

13 C. A school district board of education which elects to allow
14 the placement of advertising on transportation equipment or
15 auxiliary transportation equipment shall give preference to
16 advertisement of products that are manufactured or processed in
17 Oklahoma, advertisements from manufacturers or processors who are
18 members of the Made In Oklahoma Program, or retailers who promote
19 and sell products from Made In Oklahoma Program members.

20 D. Any revenue raised from advertising placed on transportation
21 equipment or auxiliary transportation equipment shall be deposited
22 in the general fund of the school district and used for school
23 district purposes as determined by the board of education.

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1 E. In addition to any further restrictions which may be
2 established by each board of education, the content of
3 advertisements placed on transportation equipment or auxiliary
4 transportation equipment shall not:

5 1. Promote hostility, disorder or violence;

6 2. Attack or discriminate against any ethnic, racial or
7 religious groups;

8 3. Discriminate, demean, harass, or ridicule any person or
9 group of persons on the basis of sex;

10 4. Be libelous;

11 5. Inhibit the functioning of the school or school district;

12 6. Promote, favor, or oppose the candidacy of any candidate for
13 election or the adoption of any bond or budget issue or any public
14 question submitted at any election;

15 7. Be obscene or pornographic as defined by the local community
16 standards or be of a sexual nature;

17 8. Promote gambling, the use of drugs, alcohol, tobacco or
18 firearms, or the use of products or services that create community
19 concerns;

20 9. Promote any religious or political organization;

21 10. Interfere with existing school district advertisements or
22 marketing programs or any existing contracts; or

23 11. Use any district or school logo without prior approval.
24

1 F. The State Board of Education shall adopt rules establishing
2 requirements for the placement and size of advertisements on
3 transportation equipment or auxiliary transportation equipment.

4 G. Advertisements displayed on transportation equipment or
5 auxiliary transportation equipment shall be painted on the surface
6 of the equipment or be in the form of a sign or decal attached to
7 the surface of the equipment and shall comply with the rules
8 established by the Board pursuant to this section.

9 H. Any contract entered into by a school district board of
10 education for the placement of advertising on transportation
11 equipment or auxiliary transportation equipment as provided for in
12 this section shall require the advertiser to pay for the following
13 costs:

- 14 1. Placement of the advertisement on the equipment; and
- 15 2. Removal of the advertisement from the equipment after the
16 term of the contract has expired.

17 SECTION 2. This act shall become effective July 1, 2010.

18 SECTION 3. It being immediately necessary for the preservation
19 of the public peace, health and safety, an emergency is hereby
20 declared to exist, by reason whereof this act shall take effect and
21 be in full force from and after its passage and approval.

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