

THE HOUSE OF REPRESENTATIVES
Monday, April 12, 2010

Committee Substitute for
ENGROSSED
Senate Bill No. 421

COMMITTEE SUBSTITUTE FOR ENGROSSED SENATE BILL NO. 421 - By:
STANISLAWSKI of the Senate and SCOTT of the House.

[schools – advertising on transportation equipment and auxiliary
transportation equipment – codification - effective date -
emergency]

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

1 SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma
2 Statutes as Section 9-104.1 of Title 70, unless there is created a duplication in
3 numbering, reads as follows:

4 A. A school district board of education may award contracts for the sale of
5 advertising on the exterior of transportation equipment, including school buses, and
6 auxiliary transportation equipment as defined in Section 9-104 of Title 70 of the
7 Oklahoma Statutes.

8 B. Each school district board of education which elects to allow the placement of
9 advertising on transportation equipment or auxiliary transportation equipment as
10 provided for in this section shall establish an advertising review board. The advertising
11 review board shall be composed of members as established by the board and shall:

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

3 2. Provide direction and oversight of the advertising process; and

4 3. Annually review the effectiveness of the advertising programs and make
5 necessary recommendations.

6 C. A school district board of education which elects to allow the placement of
7 advertising on transportation equipment or auxiliary transportation equipment shall
8 give preference to advertisement of products that are manufactured or processed in
9 Oklahoma, advertisements from manufacturers or processors who are members of the
10 Made In Oklahoma Program, or retailers who promote and sell products from Made In
11 Oklahoma Program members.

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

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

18 1. Promote hostility, disorder or violence;

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

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

22 4. Be libelous;

- 1 5. Inhibit the functioning of the school or school district;
- 2 6. Promote, favor, or oppose the candidacy of any candidate for election or the
- 3 adoption of any bond or budget issue or any public question submitted at any election;
- 4 7. Be obscene or pornographic as defined by the local community standards or be of
- 5 a sexual nature;
- 6 8. Promote gambling, the use of drugs, alcohol, tobacco or firearms, or the use of
- 7 products or services that create community concerns;
- 8 9. Promote any religious or political organization;
- 9 10. Interfere with existing school district advertisements or marketing programs or
- 10 any existing contracts; or
- 11 11. Use any district or school logo without prior approval.
- 12 F. The State Board of Education shall adopt rules establishing requirements for the
- 13 placement and size of advertisements on transportation equipment or auxiliary
- 14 transportation equipment.
- 15 G. Advertisements displayed on transportation equipment or auxiliary
- 16 transportation equipment shall be painted on the surface of the equipment or be in the
- 17 form of a sign or decal attached to the surface of the equipment and shall comply with
- 18 the rules established by the Board pursuant to this section.
- 19 H. Any contract entered into by a school district board of education for the
- 20 placement of advertising on transportation equipment or auxiliary transportation
- 21 equipment as provided for in this section shall require the advertiser to pay for the
- 22 following costs:

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

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

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

8 COMMITTEE REPORT BY: COMMITTEE ON COMMON EDUCATION, dated 04-08-10
9 - DO PASS, As Amended and Coauthored.