

1 STATE OF OKLAHOM

2 1st Session of the 53rd Legislature (2011)

3 SENATE BILL 509

By: Shortey

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6 AS INTRODUCED

7 An Act relating to school transportation equipment;
8 allowing school district boards of education to sell
9 advertising on the exterior of transportation
10 equipment; requiring establishment of advertising
11 review board; stating duties of the board; providing
12 an advertising preference for certain products;
13 specifying use of generated revenue; placing
14 restrictions on content of advertising; providing for
15 rules; specifying required contract provisions;
16 providing for codification; providing an effective
17 date; and declaring an emergency.

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

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

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

26 B. Each school district board of education which elects to
27 allow the placement of advertising on transportation equipment or

1 auxiliary transportation equipment as provided for in this section
2 shall establish an advertising review board. The advertising review
3 board shall be composed of members as established by the board and
4 shall:

- 5 1. Approve the content of all district-wide advertising
6 programs consistent with any restrictions established by the board;
- 7 2. Provide direction and oversight of the advertising process;
8 and
- 9 3. Annually review the effectiveness of the advertising
10 programs and make necessary recommendations.

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

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

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

3 1. Promote hostility, disorder or violence;

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

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

8 4. Be libelous;

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

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

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

15 8. Promote gambling, the Oklahoma Education Lottery, the use of
16 drugs, alcohol, tobacco or firearms, or the use of products or
17 services that create community concerns;

18 9. Promote any religious or political organization;

19 10. Interfere with existing school district advertisements or
20 marketing programs or any existing contracts; or

21 11. Use any district or school logo without prior approval.

22 F. The State Board of Education shall adopt rules establishing
23 requirements for the placement and size of advertisements on
24 transportation equipment or auxiliary transportation equipment.

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

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

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

14 SECTION 2. This act shall become effective July 1, 2011.

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

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