

STATE OF OKLAHOMA

1st Session of the 58th Legislature (2021)

HOUSE BILL 2859

By: Roberts (Sean)

AS INTRODUCED

An Act relating to schools; allowing school district boards of education to sell advertising on the exterior of transportation equipment; establishing duties for board of education; specifying use of generated revenue; providing restrictions on content of advertising; directing State Board of Education to adopt rules; prescribing method for display of advertising; listing required contract provisions; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 9-120 of Title 70, unless there is created a duplication in numbering, reads as follows:

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

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

1 auxiliary transportation equipment as provided for in this section
2 shall:

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

5 2. Provide direction and oversight of the advertising process;
6 and

7 3. Annually review the effectiveness of the advertising
8 programs and make necessary recommendations.

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

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

18 1. Prohibit any federal, state or local law;

19 2. Promote hostility, disorder or violence;

20 3. Attack or discriminate against any ethnic, racial or
21 religious groups;

22 4. Discriminate, demean, harass or ridicule any person or group
23 of persons on the basis of sex;

24 5. Be libelous;

1 6. Inhibit the functioning of the school or school district;

2 7. Promote, favor or oppose the candidacy of any candidate for
3 election or the adoption of any bond or budget issue or any public
4 question submitted at any election;

5 8. Be obscene, pornographic or of a sexual nature;

6 9. Promote gambling, the lottery, the use of drugs, alcohol,
7 tobacco or firearms or the use of products or services that create
8 community concerns;

9 10. Promote any religious or political organization;

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

12 12. Use any district or school logo without prior approval.

13 E. The State Board of Education shall adopt rules establishing
14 requirements for the placement and size of advertisements on
15 transportation equipment or auxiliary transportation equipment.

16 F. Advertisements displayed on transportation equipment or
17 auxiliary transportation equipment shall be painted on the surface
18 of the equipment or be in the form of a sign or decal attached to
19 the surface of the equipment and shall comply with the rules
20 established by the State Board of Education pursuant to this
21 section.

22 G. Any contract entered into by a school district board of
23 education for the placement of advertising on transportation
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1 equipment or auxiliary transportation equipment pursuant to this
2 section shall require the advertiser to pay for the following costs:

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

6 SECTION 2. This act shall become effective November 1, 2021.

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