

1 SB411
2 200836-2
3 By Senator Reed
4 RFD: Education Policy
5 First Read: 15-MAY-19

SYNOPSIS: Existing law does not authorize local boards of education to sell advertising space on school buses.

This bill would authorize local boards of education to sell advertising space on school buses and would prohibit certain types of advertising.

A BILL
TO BE ENTITLED
AN ACT

Relating to public K-12 education; to authorize local boards of education to sell advertising space on school buses and to prohibit certain types of advertising.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) A local board of education may allot space on the exterior of a school bus for the purpose of commercial advertising.

(b) The advertising may not do any of the following:

1 (1) Interfere with the effectiveness of any required
2 reflective materials or warning equipment.

3 (2) Be located above or on the windows of the school
4 bus.

5 (3) Be located behind the front wheel to the front
6 of the back wheel.

7 (4) Be located behind the back wheel to the end of
8 the bus.

9 (c) Each local board of education shall determine
10 the length and terms of advertising contracts and the content
11 of the advertising. The advertising of alcohol, tobacco
12 products, sexually explicit or offensive material, and
13 political or campaign advertising is prohibited. For purposes
14 of this subsection, political or campaign advertising
15 includes, but is not limited to, any communication that
16 satisfies any of the following:

17 (1) Is intended to support or defeat a candidate for
18 public office.

19 (2) Advocates or opposes a proposed constitutional
20 amendment or other public question that appears or will appear
21 on a ballot.

22 (3) Otherwise concerns the advocacy of a public
23 policy issue by a political action committee.

24 (d) If the advertising restrictions in subsection
25 (c) are invalidated on constitutional grounds by a court in a
26 final and appealable order, and if an appeal is not taken from
27 that order or if the order is upheld on appeal, any

1 advertising permitted by this section shall be immediately
2 removed and the permissive advertising program established in
3 this section shall be null and void. All advertising contracts
4 established pursuant to this section shall be subject to being
5 null and void as stated in this subsection.

6 (e) A local board of education may not exclude or
7 show exclusive preference for specific advertisers within
8 industries, business sectors, or other classes of advertisers
9 identified as appropriate.

10 (f) Any proceeds derived from the advertising
11 provided by this section shall inure to the benefit of the
12 local board of education.

13 Section 2. This act shall become effective on the
14 first day of the third month following its passage and
15 approval by the Governor, or its otherwise becoming law.