

HB 1273 -- SCHOOL BUS ADVERTISEMENTS (Kelley, 126)

COMMITTEE OF ORIGIN: Committee on Urban Issues

This bill requires the State Board of Education within the Department of Elementary and Secondary Education to promulgate rules and regulations authorizing local school boards to lease advertising space on the interior and exterior of school buses. The regulations must prohibit advertising that:

- (1) Contains obscenity, sexual material, gambling, tobacco products, alcohol, political campaigns or causes, public advocacy or lobbying of matters before the General Assembly or any state agency or the governing authority of any political subdivision, or religion;
- (2) Promotes drug use or any illegal activity or antisocial behavior;
- (3) Contains harmful, discriminatory, false, misleading or deceptive, or not age appropriate or otherwise appropriate for school buses as determined by the local school board; and
- (4) Contains an actual or implied school district endorsement for a product or service.

A school board may adopt a policy for advertising which must be consistent with the rules and regulations adopted by the state board. Private owners of school buses with title to their vehicles may lease space to the school district for the purpose of selling commercial advertisements and receive 10% of the total value of the advertising contract. A school district may solicit offers from commercial advertisers for advertisements that do not display prohibited material. The bill specifies the required contents of contracts and lease agreements, the permitted size and placement for an advertisement, and limitations on the message of interior advertisements. The commercial advertiser must pay the cost of affixing and removing the advertisement upon the expiration of the contract's term. No advertisements can be placed on the front, rear, or driver's side of the bus. School districts will retain the advertising revenue after payment is made to private bus owners. Fifty percent of a district's revenue from the advertising must be used to offset the fuel costs of providing pupil transportation services and 50% can be used at the board's discretion.

FISCAL NOTE: No impact on state funds in FY 2013, FY 2014, and FY 2015.