

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

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4 ENGROSSED

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7 A BILL  
8 TO BE ENTITLED  
9 AN ACT

10  
11 Relating to public K-12 education; to authorize  
12 local boards of education to sell advertising space on school  
13 buses and to prohibit certain types of advertising.

14 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

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

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

21 (2) Be located above or on the windows of the school  
22 bus.

23 (3) Be located behind the front wheel to the front  
24 of the back wheel.

25 (4) Be located behind the back wheel to the end of  
26 the bus.

1           (c) Each local board of education shall determine  
2 the length and terms of advertising contracts and the content  
3 of the advertising. The advertising of alcohol, tobacco  
4 products, sexually explicit or offensive material, and  
5 political or electioneering advertising is prohibited. For  
6 purposes of this subsection, political or electioneering  
7 advertising includes, but is not limited to, any communication  
8 that satisfies any of the following:

9           (1) Is intended to support or defeat a candidate for  
10 public office.

11           (2) Advocates or opposes a proposed constitutional  
12 amendment or other public question that appears or will appear  
13 on a ballot.

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

16           (d) If the advertising restrictions in subsection  
17 (c) are invalidated on constitutional grounds by a court in a  
18 final and appealable order, and if an appeal is not taken from  
19 that order or if the order is upheld on appeal, any  
20 advertising permitted by this section shall be immediately  
21 removed and the permissive advertising program established in  
22 this section shall be null and void. All advertising contracts  
23 established pursuant to this section shall be subject to being  
24 null and void as stated in this subsection.

25           (e) A local board of education may not exclude or  
26 show exclusive preference for specific advertisers within

1 industries, business sectors, or other classes of advertisers  
2 identified as appropriate.

3 (f) Any proceeds derived from the advertising  
4 provided by this section shall inure to the benefit of the  
5 local board of education.

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

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Senate

Read for the first time and referred to the Senate  
committee on Education Policy..... 15-MAY-19

Read for the second time and placed on the calen-  
dar..... 21-MAY-19

Read for the third time and passed as amended .... 23-MAY-19

Yeas 30  
Nays 0

Patrick Harris,  
Secretary.