**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑67‑35 SO AS TO PROVIDE A SCHOOL DISTRICT MUST OFFER FOR SALE CHILD‑FRIENDLY COMMERCIAL ADVERTISEMENTS ON PUBLIC SCHOOL BUSES OPERATED IN THE DISTRICT EXCEPT FOR THOSE BUSES OWNED BY A SCHOOL OR DISTRICT, IN WHICH CASE THE SALE IS OPTIONAL BUT ONLY IF IN COMPLIANCE WITH OTHER APPLICABLE PROVISIONS; TO PROVIDE THAT THE DISTRICTS ONLY MAY USE THE RESULTING REVENUE TO PURCHASE NEW SCHOOL BUSES; TO PROVIDE THE STATE BOARD OF EDUCATION SHALL DEVELOP RELATED GUIDELINES AND A STANDARD CONTRACT THAT DISTRICTS MUST USE, TO PROVIDE THAT THE BOARD OF A SCHOOL DISTRICT MUST APPROVE THESE ADVERTISING CONTRACTS; AND TO DEFINE NECESSARY TERMINOLOGY.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 1, Chapter 67, Title 59 of the 1976 Code is amended by adding:

“Section 59‑67‑35. (A) A school district must offer for sale the placement of child‑friendly commercial advertisements on the sides and back of public school buses operated in the district consistent with guidelines developed by the State Board of Education. The provisions of this section are mandatory for a bus owned by the State or a private contractor who provides bus service to a public school, but are optional for a bus owned by a local school or school district; provided, however, that a school or district only may offer for sale the placement of an advertisement on a school bus owned by the school or district if it complies with the provisions of this section.

(B) The State Board of Education shall develop guidelines for the placement of advertisements and the rates and terms of advertisement contracts. The board also shall develop a standard contract that districts must use for the sale of advertising permitted under this section. The school district board’s must approve a contract for the sale of an advertisement placed on a school bus under this section.

(C) Revenue received from the sale of an advertisement under this section only may be used to:

(1) defray costs necessarily incurred to enable the bus to mount advertisements; and

(2) purchase new buses in the district where the bus that generates the advertising revenue operates.

(D) For the purposes of this section, a ‘child‑friendly commercial advertisement’ means an advertisement suitable for children, in particular an advertisement devoid of material considered inappropriate for children such as sexually‑oriented text or images, profanity, violence, and references to the use of items that constitute contraband in a school such as alcohol, tobacco products, weapons, and illegal drugs. A child‑friendly advertisement should not promote foods or beverages of minimal nutritional value, or any other product or service that the local school board considers. A determination of whether an advertisement is child‑friendly is in the discretion of the local school district board in which the bus that would display the advertisement operates.”

SECTION 2. The provisions of this act take effect upon approval of the Governor and are applicable beginning with the 2014‑2015 school year.

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