

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 SENATE BILL 1153

By: Sharp

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5  
6 AS INTRODUCED

7 An Act relating to school expenditures; prohibiting  
8 certain schools from using certain funds to market,  
9 advertise or promote certain programs and services to  
10 recruit students for enrollment; exempting from such  
11 prohibition the use of certain funds for certain  
12 purposes; requiring schools that violate the  
13 prohibition to remit certain amount to the State  
14 Board of Education; creating a misdemeanor for  
15 certain violation; providing penalties; providing for  
16 promulgation of rules; providing for codification;  
17 providing an effective date; and declaring an  
18 emergency.

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

20 SECTION 1. NEW LAW A new section of law to be codified  
21 in the Oklahoma Statutes as Section 5-191 of Title 70, unless there  
22 is created a duplication in numbering, reads as follows:

23 A. A public school district, a charter school sponsored as  
24 provided for in Section 3-132 of Title 70 of the Oklahoma Statutes  
and a virtual charter school sponsored by the Statewide Virtual  
Charter School Board pursuant to Section 3145.3 of Title 70 of the  
Oklahoma Statutes shall be prohibited from expending any portion of  
a State Aid allocation or any other state-appropriated funds to

1 market, advertise or promote programs and services available through  
2 the public school district, charter school or virtual charter school  
3 to recruit students for enrollment.

4 B. The provisions of subsection A of this section shall not  
5 apply to the expending of funds by a public school district, charter  
6 school or virtual charter school to:

7 1. Market or advertise employment opportunities;

8 2. Provide informational material concerning school bond  
9 elections and millage elections in accordance with Section 5-117 of  
10 Title 70 of the Oklahoma Statutes;

11 3. Establish and maintain school websites; or

12 4. Publish and distribute flyers, brochures or other  
13 informational materials about school enrollment.

14 C. A public school district, charter school or virtual charter  
15 school that is found by the State Board of Education to be in  
16 violation of the provisions of subsection A of this section shall  
17 remit to the State Board of Education an amount equal to the amount  
18 of State Aid allocation or other state-appropriated funds expended  
19 in violation of subsection A of this section plus ten percent (10%).

20 D. Any person who knowingly or willfully violates the  
21 provisions of subsection A of this section shall be guilty of a  
22 misdemeanor and, upon conviction, shall be subject to a fine of not  
23 more than One Thousand Dollars (\$1,000.00) or by imprisonment in the  
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1 county jail not to exceed one (1) year, or by both such fine and  
2 imprisonment.

3 E. The State Board of Education shall promulgate rules to  
4 implement the provisions of this section.

5 SECTION 2. This act shall become effective July 1, 2020.

6 SECTION 3. It being immediately necessary for the preservation  
7 of the public peace, health or safety, an emergency is hereby  
8 declared to exist, by reason whereof this act shall take effect and  
9 be in full force from and after its passage and approval.

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