

2001 ASSEMBLY BILL 83

February 1, 2001 – Introduced by Representatives SCHNEIDER, RICHARDS, POCAN, RYBA, J. LEHMAN and BOYLE. Referred to Committee on Education.

1 **AN ACT to renumber and amend** 118.12 (1); and **to create** 118.12 (1g) and
2 118.12 (1m) (c) of the statutes; **relating to:** prohibiting school boards from
3 entering into certain contracts.

Analysis by the Legislative Reference Bureau

Current law provides that a person may sell or promote the sale of goods and services on school district property unless the school board adopts written resolutions that prohibit, restrict, or otherwise regulate the sale or promotion of goods and services.

This bill prohibits a school board from entering into a contract that grants exclusive advertising rights to a person or that prohibits the school board, a school board member, a school district employee, or a pupil from disparaging the goods or services of a person contracting with the school board. The bill also prohibits a school board from entering into a contract for telecommunications goods and services that requires the dissemination of advertising to pupils.

For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 118.12 (1) of the statutes is renumbered 118.12 (1m) and amended
5 to read:

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1 118.12 **(1m)** (a) Except as provided under ~~par.~~ pars. (b) and (c), any person may
2 sell or promote the sale of goods or services on school district or cooperative
3 educational service agency property.

4 (b) ~~A~~ Subject to par. (c), a school board may adopt written resolutions governing
5 the sale and promotion of goods and services on school district property. The board
6 of control of a cooperative educational service agency may adopt written resolutions
7 governing the sale and promotion of goods and services on agency property. The
8 resolutions may prohibit, restrict, or provide guidelines for such sales and
9 promotions.

10 **SECTION 2.** 118.12 (1g) of the statutes is created to read:

11 118.12 **(1g)** In this section, “telecommunications” means the electronic
12 movement of information in any form including the electronic movement of
13 information by cable, fiber optics, instructional television fixed service, microwave,
14 radio, satellite, computer, telephone, or television.

15 **SECTION 3.** 118.12 (1m) (c) of the statutes is created to read:

16 118.12 **(1m)** (c) No school board may do any of the following:

- 17 1. Enter into a contract that grants exclusive advertising rights to a person.
- 18 2. Enter into a contract that prohibits the school board, a school board member,
19 a school district employee, or a pupil from disparaging the goods or services of the
20 person contracting with the school board.
- 21 3. Enter into a contract for telecommunications goods or services if the contract
22 requires the dissemination of advertising to pupils.

23 **SECTION 4. Initial applicability.**

