

1 **AIR CONDITIONED BUSES FOR STUDENTS**

2 **WITH DISABILITIES**

3 2005 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: David L. Hogue**

7 **LONG TITLE**

8 **General Description:**

9 This bill establishes an incentive program for school districts to provide air
10 conditioning on vehicles that transport students with disabilities.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ establishes an incentive program providing matching funds to school districts to
- 14 equip vehicles that transport students with disabilities with air conditioning; and
- 15 ▶ provides a repeal date for the incentive program.

16 **Monies Appropriated in this Bill:**

17 This bill appropriates \$320,000 from the Uniform School Fund for fiscal year 2004-05
18 only, to fund the incentive program.

19 **Other Special Clauses:**

20 This bill provides an immediate effective date.

21 **Utah Code Sections Affected:**

22 AMENDS:

23 **63-55b-153**, as last amended by Chapters 90, 251 and 328, Laws of Utah 2004

24 ENACTS:

25 **53A-15-310**, Utah Code Annotated 1953

26
27 *Be it enacted by the Legislature of the state of Utah:*



28 Section 1. Section **53A-15-310** is enacted to read:

29 **53A-15-310. Pilot incentive program for air conditioning in vehicles transporting**
30 **students with disabilities.**

31 (1) A pilot incentive program is established to provide matching funds to school
32 districts to equip vehicles, including schools buses, that transport students with disabilities, as
33 defined in Section 53A-15-301, with air conditioning.

34 (2) The State Board of Education shall:

35 (a) award appropriated funds as competitive grants to school districts that agree to
36 allocate an amount of local funds equal to their grant award to equip vehicles, including school
37 buses, that transport students with disabilities, as defined in Section 53A-15-301, with air
38 conditioning;

39 (b) in accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act,
40 make rules to administer the grant award program under this section; and

41 (c) report to the Education Interim Committee by November 30, 2006 on:

42 (i) the use of appropriated funds, including:

43 (A) the number of buses equipped with air conditioning; and

44 (B) the number of students with disabilities whose buses were equipped with air
45 conditioning; and

46 (ii) ways to ensure that vehicles transporting students with disabilities are equipped
47 with proper temperature controls.

48 Section 2. Section **63-55b-153** is amended to read:

49 **63-55b-153. Repeal dates -- Titles 53, 53A, and 53B.**

50 (1) Subsection 53-3-205(9)(a)(i)(D) is repealed July 1, 2007.

51 (2) Subsection 53-3-804(2)(g) is repealed July 1, 2007.

52 (3) Section 53A-1-403.5 is repealed July 1, 2007.

53 (4) Subsection 53A-1a-511(7)(c) is repealed July 1, 2007.

54 (5) Section 53A-3-702 is repealed July 1, 2008.

55 (6) Section 53A-15-310 is repealed July 1, 2007.

56 [~~(6)~~] (7) Section 53B-8-104.5 is repealed July 1, 2009.

57 Section 3. **Appropriation.**

58 (1) There is appropriated from the Uniform School Fund for fiscal year 2004-05 only,

59 \$320,000 to the State Board of Education for distribution to school districts pursuant to Section
60 53A-15-310.

61 (2) The money appropriated in Subsection (1) is nonlapsing.

62 Section 4. **Effective date.**

63 If approved by two-thirds of all the members elected to each house, this bill takes effect
64 upon approval by the governor, or the day following the constitutional time limit of Utah
65 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto,
66 the date of veto override.

Legislative Review Note

as of 1-19-05 1:25 PM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

State Impact

This bill appropriates \$320,000 in one-time Uniform School Funds to the State Board of Education to support the pilot program outlined in the bill.

	<u>FY 2005</u>	<u>FY 2006</u>	<u>FY 2007</u>	<u>FY 2005</u>	<u>FY 2006</u>	<u>FY 2007</u>
	<u>Approp.</u>	<u>Approp.</u>	<u>Approp.</u>	<u>Revenue</u>	<u>Revenue</u>	<u>Revenue</u>
Uniform School Fund	\$320,000	\$0	\$0	\$0	\$0	\$0
TOTAL	\$320,000	\$0	\$0	\$0	\$0	\$0

Individual and Business Impact

No fiscal impact