

SCHOOL BUSING AMENDMENTS

2006 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: David N. Cox

Senate Sponsor: _____

LONG TITLE

General Description:

This bill adjusts eligibility for state-supported school transportation funding.

Highlighted Provisions:

This bill:

► provides that to be eligible for state-supported transportation a student shall, in addition to other requirements, attend the public school within the student's school district or residence that:

- is nearest to the student's place of residence;
- offers the student's grade; and
- is not a charter school; and

► makes technical corrections.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53A-17a-127, as last amended by Chapter 73, Laws of Utah 2001

Be it enacted by the Legislature of the state of Utah:



Section 1. Section **53A-17a-127** is amended to read:

53A-17a-127. Eligibility for state-supported transportation -- Approved bus routes -- Additional local tax.

(1) A student is eligible for state-supported transportation ~~[means:]~~ if the student:

(a) attends the public school within the student's school district of residence that:

(i) is nearest to the student's place of residence;

(ii) offers the student's grade; and

(iii) is not a charter school; and

~~[(a) a student]~~ (b) (i) is enrolled in kindergarten through grade six ~~[who]~~ and lives at least 1-1/2 miles from school;

~~[(b) a student]~~ (ii) is enrolled in grades ~~[seven]~~ 7 through 12 ~~[who]~~ and lives at least two miles from school; ~~[and]~~ or

~~[(c) a student]~~ (iii) is enrolled in a special program offered by a school district and approved by the State Board of Education for trainable, motor, or multiple-disabled students, or other students with severe disabilities who are incapable of walking to school or where it is unsafe for students to walk because of their disabling condition, without reference to distance from school.

(2) If a school district implements double sessions as an alternative to new building construction, with the approval of the State Board of Education, those affected elementary school students residing less than 1-1/2 miles from school may be transported one way to or from school because of safety factors relating to darkness or other hazardous conditions as determined by the local school board.

(3) (a) The State Office of Education shall distribute transportation monies to school districts based on three factors:

(i) an allowance per mile for approved bus routes;

(ii) an allowance per hour for approved bus routes; and

(iii) an annual allowance for equipment and overhead costs based on approved bus routes and the age of the equipment.

(b) In order for a bus to be considered for the equipment allowance, it must meet federal and state regulations and standards for school buses.

(c) The State Office of Education shall annually review the allowance per mile, the

allowance per hour, and the annual equipment and overhead allowance and adjust the allowance to reflect current economic conditions.

(4) (a) Approved bus routes for funding purposes shall be determined on fall data collected by October 1.

(b) Approved route funding shall be determined on the basis of the most efficient and economic routes.

(5) A Transportation Advisory Committee with representation from local school superintendents, business officials, school district transportation supervisors, and the State Office of Education shall serve as a review committee for addressing school transportation needs, including recommended approved bus routes.

(6) (a) A local school board may provide for the transportation of students who are not eligible under Subsection (1), regardless of the distance from school, from:

(i) general funds of the district; and

(ii) a tax rate not to exceed .0003 per dollar of taxable value imposed on the district.

(b) A local school board may use revenue from the tax to pay for transporting participating students to interscholastic activities, night activities, and educational field trips approved by the board and for the replacement of school buses.

(c) (i) If a local school board levies a tax under Subsection (6)(a)(ii) of at least .0002, the state may contribute an amount not to exceed 85% of the state average cost per mile, contingent upon the Legislature appropriating funds for a state contribution.

(ii) The State Office of Education shall distribute the state contribution according to rules enacted by the State Board of Education.

(d) (i) The amount of state guarantee money to which a school district would otherwise be entitled to under Subsection (6)(c) may not be reduced for the sole reason that the district's levy is reduced as a consequence of changes in the certified tax rate under Section 59-2-924 due to changes in property valuation.

(ii) Subsection (6)(d)(i) applies for a period of two years following the change in the certified tax rate.

~~[(7) There is appropriated for the fiscal year beginning July 1, 1999, \$225,000 to the state board as the state's contribution under Subsection (6)(c)(i).]~~

Legislative Review Note

as of 1-17-06 12:25 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

Fiscal Note**Bill Number HB0297****School Busing Amendments***25-Jan-06**10:41 AM*

State Impact

No fiscal impact.

Individual and Business Impact

Students and their families may be impacted if they lose eligibility for state-supported transportation.

Office of the Legislative Fiscal Analyst