

PUBLIC SCHOOL TRANSPORTATION AMENDMENTS

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Carl Wimmer

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies the distance between a residence and a public school that qualifies a student for state-sponsored transportation.

Highlighted Provisions:

This bill:

- ▶ for an elementary school student, decreases the milage between a residence and a public school in order for the student to qualify for state-sponsored transportation;
- ▶ directs a school district to use state-sponsored transportation money to fully fund transportation for elementary students first, and use any remaining money for junior high and high school student transportation; and
- ▶ makes technical amendments.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53A-17a-127, as last amended by Laws of Utah 2010, Chapter 305

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



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

29 **53A-17a-127. Eligibility for state-supported transportation -- Approved bus**
30 **routes -- Additional local tax.**

31 (1) A student eligible for state-supported transportation means:

32 (a) a student enrolled in [~~kindergarten through grade six~~] an elementary school who
33 lives at least [~~1-1/2 miles~~] one mile from school;

34 (b) a student enrolled in [~~grades seven through 12~~] a middle or junior high school who
35 lives at least two miles from school; [~~and~~]

36 (c) a student enrolled in a high school who lives at least two miles from school; and

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

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

47 (3) (a) The State Board of Education shall distribute transportation money to school
48 districts based on:

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

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

51 (iii) a minimum allocation for each school district eligible for transportation funding.

52 (b) The State Board of Education shall distribute appropriated transportation funds
53 based on the prior year's eligible transportation costs as legally reported under Subsection
54 53A-17a-126(3).

55 (c) The State Board of Education shall annually review the allowance per mile and the
56 allowance per hour and adjust the allowances to reflect current economic conditions.

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

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

61 (5) (a) A school district shall use the state transportation money described in
62 Subsection (3) to fully fund the transportation of the school district's elementary students first.

63 (b) A school district shall use any money remaining after the allocation required in
64 Subsection (5)(a) to fund the transportation of the school district's junior high and high school
65 students.

66 [~~5~~] (6) A Transportation Advisory Committee with representation from local school
67 superintendents, business officials, school district transportation supervisors, and the state
68 superintendent's staff shall serve as a review committee for addressing school transportation
69 needs, including recommended approved bus routes.

70 [~~6~~] (7) (a) A local school board may provide for the transportation of students
71 regardless of the distance from school, from:

- 72 (i) general funds of the district; and
- 73 (ii) a tax rate not to exceed .0003 per dollar of taxable value imposed on the district.

74 (b) A local school board may use revenue from the tax described in Subsection [~~6~~]
75 (7)(a)(ii) to pay for transporting students and for the replacement of school buses.

76 (c) (i) If a local school board levies a tax under Subsection [~~6~~] (7)(a)(ii) of at least
77 .0002, the state may contribute an amount not to exceed 85% of the state average cost per mile,
78 contingent upon the Legislature appropriating funds for a state contribution.

79 (ii) The state superintendent's staff shall distribute the state contribution according to
80 rules enacted by the State Board of Education.

81 (d) (i) The amount of state guarantee money which a school district would otherwise be
82 entitled to receive under Subsection [~~6~~] (7)(c) may not be reduced for the sole reason that the
83 district's levy is reduced as a consequence of changes in the certified tax rate under Section
84 59-2-924 due to changes in property valuation.

85 (ii) Subsection [~~6~~] (7)(d)(i) applies for a period of two years following the change in
86 the certified tax rate.

Legislative Review Note
as of 2-22-11 11:22 AM

Office of Legislative Research and General Counsel

FISCAL NOTE

H.B. 290

SHORT TITLE: **Public School Transportation Amendments**

SPONSOR: **Wimmer, C.**

2011 GENERAL SESSION, STATE OF UTAH

STATE GOVERNMENT (UCA 36-12-13(2)(b))

Enactment of this bill likely will not materially impact the state budget.

LOCAL GOVERNMENTS (UCA 36-12-13(2)(c))

The Utah State Office of Education (USOE) estimates 21,700 additional elementary students will qualify for transportation services to and from school each day statewide. Bill provisions require that school districts fully fund elementary transportation first, resulting in a potential funding shift of up to \$11.4 million from secondary schools to elementary schools. If a school district continues to provide bus service to secondary students at current levels, they may need to reallocate discretionary funding internally to cover the cost. Transporting additional students may require additional buses at a district cost of \$120,000 each.

DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses.