

SCHOOL TRANSPORTATION AMENDMENTS

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Don L. Ipson

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions related to student eligibility for state-supported transportation.

Highlighted Provisions:

This bill:

- ▶ amends provisions related to student eligibility for state-supported transportation.

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 2011, Chapters 366 and 371

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 eligible for state-supported transportation means:

(a) a student enrolled in kindergarten through grade six who lives at least 1-1/2 miles



28 from school;

29 (b) a student enrolled in grades seven through 12 who lives at least two miles from
30 school; ~~and~~

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

35 (d) a student whose residence is closer to school than the distance described in
36 Subsection (1)(a) or (b) if:

37 (i) a new route, including a road, bridge, or pathway, reduces the distance from the
38 student's residence to school from farther than the distance described in Subsection (1)(a) or (b)
39 to closer than the distance described in Subsection (1)(a) or (b); and

40 (ii) the local school board determines that the new route described in Subsection
41 (1)(d)(i) presents a hazardous condition, including that the new route is not accessible to foot
42 traffic.

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

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

- 50 (i) an allowance per mile for approved bus routes;
- 51 (ii) an allowance per hour for approved bus routes; and
- 52 (iii) a minimum allocation for each school district eligible for transportation funding.

53 (b) The State Board of Education shall distribute appropriated transportation funds
54 based on the prior year's eligible transportation costs as legally reported under Subsection
55 [53A-17a-126\(3\)](#).

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

58 (4) (a) Approved bus routes for funding purposes shall be determined on fall data

59 collected by October 1.

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

62 (5) A Transportation Advisory Committee with representation from local school
63 superintendents, business officials, school district transportation supervisors, and the state
64 superintendent's staff shall serve as a review committee for addressing school transportation
65 needs, including recommended approved bus routes.

66 (6) (a) Except as provided in Subsection (6)(e), a local school board may provide for
67 the transportation of students regardless of the distance from school, from:

68 (i) general funds of the district; and

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

70 (b) A local school board may use revenue from the tax described in Subsection

71 (6)(a)(ii) to pay for transporting students and for the replacement of school buses.

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

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

77 (d) (i) The amount of state guarantee money which a school district would otherwise be
78 entitled to receive under Subsection (6)(c) may not be reduced for the sole reason that the
79 district's levy is reduced as a consequence of changes in the certified tax rate under Section
80 [59-2-924](#) due to changes in property valuation.

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

83 (e) Beginning January 1, 2012, a local school board may not impose a tax in
84 accordance with this Subsection (6).

85 (7) (a) (i) If a local school board expends an amount of revenue equal to at least .0002
86 per dollar of taxable value of the school district's board local levy imposed under Section
87 [53A-17a-164](#) for the uses described in Subsection (6)(b), the state may contribute an amount
88 not to exceed 85% of the state average cost per mile, contingent upon the Legislature
89 appropriating funds for a state contribution.

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

92 (b) (i) The amount of state guarantee money that a school district would otherwise be
93 entitled to receive under Subsection (7)(a) may not be reduced for the sole reason that the
94 district's levy is reduced as a consequence of changes in the certified tax rate under Section
95 [59-2-924](#) due to changes in property valuation.

96 (ii) Subsection (7)(b)(i) applies for a period of two years following the change in the
97 certified tax rate.

Legislative Review Note
as of **2-10-15 9:27 AM**

Office of Legislative Research and General Counsel