

AMENDED IN ASSEMBLY JULY 2, 2014

AMENDED IN SENATE MAY 27, 2014

AMENDED IN SENATE APRIL 22, 2014

AMENDED IN SENATE MARCH 24, 2014

SENATE BILL

No. 1137

Introduced by Senator Torres
(Principal coauthor: Senator Vidak)
(Coauthor: Senator Correa)

~~(Coauthor: Assembly Member Conway)~~ *(Coauthors: Assembly Members
Conway and Rodriguez)*

February 20, 2014

An act to add Section 41850.5 to the Education Code, relating to school transportation.

LEGISLATIVE COUNSEL'S DIGEST

SB 1137, as amended, Torres. School transportation: apportionments.

Existing law authorizes the governing board of a school district to provide for the transportation of pupils to and from school. Existing law, among other things, requires each school district or county office of education that provides transportation to receive the same home-to-school and special education transportation allowances that it received in the prior fiscal year and prohibits the transportation allowances from exceeding the prior year's approved transportation costs, increased by the amount provided in the annual Budget Act.

This bill would require the Superintendent of Public Instruction, ~~for the 2014-15 fiscal year to the 2020-21 fiscal year, inclusive,~~ *commencing with the 2015-16 fiscal year*, to apportion to each school district, county office of education, entity providing services under a

school transportation joint powers agreement, or a regional occupational center or program that provides pupil transportation an amount equal to a specified annually increasing percentage of its approved transportation costs for the prior fiscal year or 100% of its school transportation apportionment for the 2013–14 fiscal year, annually adjusted as specified, whichever is greater. *The bill would require the Superintendent to establish a process to provide startup school transportation apportionments to school districts that did not provide pupil transportation services in the 2014–15 fiscal year, as specified. These provisions would be operative only to the extent that funding for purposes of the bill is provided in the annual Budget Act or another statute.*

~~The bill would become operative only to the extent that funding is provided in the annual Budget Act or another statute for the purposes of the bill.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
 State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 41850.5 is added to the Education Code,
- 2 to read:
- 3 41850.5. (a) Notwithstanding any other law, ~~for the 2014–15~~
- 4 ~~fiscal year to the 2020–21 fiscal year, inclusive,~~ *commencing with*
- 5 *the 2015–16 fiscal year,* the Superintendent shall apportion to each
- 6 school district, county office of education, entity providing services
- 7 under a school transportation joint powers agreement, or regional
- 8 occupational center or program that provides pupil transportation
- 9 services either 100 percent of its school transportation
- 10 apportionment for the 2013–14 fiscal year, as adjusted by
- 11 subdivision (b), or the following amount, whichever is greater:
- 12 (1) For the ~~2014–15~~ *2015–16* fiscal year, 41 percent of its
- 13 approved transportation costs for the prior fiscal year.
- 14 (2) For the ~~2015–16~~ *2016–17* fiscal year, 42.5 percent of its
- 15 approved transportation costs for the prior fiscal year.
- 16 (3) For the ~~2016–17~~ *2017–18* fiscal year, 44 percent of its
- 17 approved transportation costs for the prior fiscal year.
- 18 (4) For the ~~2017–18~~ *2018–19* fiscal year, 45.5 percent of its
- 19 approved transportation costs for the prior fiscal year.

1 (5) For the ~~2018–19~~ 2019–20 fiscal year, 47 percent of its
2 approved transportation costs for the prior fiscal year.

3 (6) For the ~~2019–20~~ 2020–21 fiscal year, 48.5 percent of its
4 approved transportation costs for the prior fiscal year.

5 (7) For the ~~2020–21~~ 2021–22 fiscal year, *and each fiscal year*
6 *thereafter*, 50 percent of its approved transportation costs for the
7 prior fiscal year.

8 (b) The 2013–14 fiscal year school transportation apportionment
9 amount described in subdivision (a) shall be adjusted annually
10 ~~from the 2014–15 fiscal year to the 2020–21 fiscal year, inclusive,~~
11 by the percentage change in the annual average value of the Implicit
12 Price Deflator for State and Local Government Purchases of Goods
13 and Services for the United States, as published by the United
14 States Department of ~~Commerree~~ *Commerce*, for the 12-month
15 period ending in the third quarter of the prior fiscal year. This
16 percentage change shall be determined using the latest data
17 available as of May 10 of the preceding fiscal year compared with
18 the annual average value of the same deflator for the 12-month
19 period ending in the third quarter of the second preceding fiscal
20 year, using the latest data available as of May 10 of the preceding
21 fiscal year, as reported by the Department of Finance.

22 (c) *The Superintendent shall establish a process to provide*
23 *startup school transportation apportionments to school districts*
24 *that did not provide pupil transportation services in the 2014–15*
25 *fiscal year, subject to all of the following:*

26 (1) *The startup school transportation apportionment shall only*
27 *apply to the first fiscal year in which the school district provides*
28 *pupil transportation services and shall be equal to the school*
29 *district’s estimated approved transportation costs multiplied by*
30 *the percentage in subdivision (a) for the applicable fiscal year.*

31 (2) *The school transportation apportionment for the second*
32 *fiscal year in which the school district provides pupil*
33 *transportation services shall be determined pursuant to subdivision*
34 *(a) and shall be increased or decreased to adjust for differences,*
35 *if any, between the prior fiscal year approved transportation costs*
36 *and prior year estimated transportation costs.*

37 (3) *No more than 5 percent of the amount provided for purposes*
38 *of subdivision (b) shall be allocated for startup school*
39 *transportation apportionments. If any of this amount is unused for*

1 *startup school transportation apportionments, the balance shall*
2 *be used for purposes of subdivision (a).*
3 *(4) Funding for startup school transportation apportionments*
4 *shall only be available to school district employee-operated*
5 *home-to-school transportation programs.*
6 ~~(e)~~
7 *(d) This section shall be operative only to the extent that funding*
8 *is provided in the annual Budget Act or another statute for the*
9 *purposes of this section.*

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