

AMENDED IN SENATE MAY 28, 1999

AMENDED IN SENATE MARCH 1, 1999

SENATE BILL

No. 83

Introduced by Senator Rainey

December 7, 1998

An act to add Section 41851.15 to the Education Code, relating to school finance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 83, as amended, Rainey. Home-to-school transportation.

(1) Existing law requires each school district or any county office of education to receive a home-to-school transportation allowance equal to the transportation allowance received in the prior fiscal year, as specified.

This bill would require the Superintendent of Public Instruction, ~~in~~ *for* the ~~1999-2000~~ 1998-99 fiscal year, to calculate and make an apportionment, subject to an appropriation therefor, of a home-to-school transportation allowance for all school districts that did not receive a home-to-school transportation allowance in the prior fiscal year, and that apply for the allowance on or before a date, and in a manner, to be determined by the superintendent. *The bill would provide that for the 1999-2000 fiscal year, school districts that received an allowance pursuant to this provision shall receive, subject to an appropriation therefor, an amount*

equal to that allowance, but are not eligible to also receive other funding for this purpose. The bill would, subject to the appropriation of funds therefor, require school districts that receive this transportation allowance to receive a transportation allowance in the 2000–01 fiscal year and each fiscal year thereafter in an amount not exceeding the prior year’s approved home-to-school transportation costs, increased by the amount provided in the annual Budget Act.

(2) The bill would appropriate \$850,000 from the General Fund to Section A of the State School Fund for the purpose of this home-to-school transportation allowance in the ~~1999–2000~~ 1998–99 fiscal year. The bill would require that the appropriation be included in the amounts appropriated by the state in the ~~1999–2000~~ 1998–99 fiscal year for the purpose of meeting the state’s minimum funding obligation to school districts and community college districts under Section 8 of Article XVI of the California Constitution for that fiscal year.

(3) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

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

1 SECTION 1. Section 41851.15 is added to the
 2 Education Code, to read:
 3 41851.15. (a) For the ~~1999–2000~~ 1998–99 fiscal year,
 4 the Superintendent of Public Instruction shall calculate
 5 for all school districts that did not receive a
 6 home-to-school transportation allowance in the prior
 7 fiscal year, and that apply for the allowance on or before
 8 a date, and in a manner, to be determined by the
 9 superintendent, an allowance that is the lesser of the
 10 following:
 11 (1) The prior year approved cost of home-to-school
 12 transportation pursuant to Section 41851.12.
 13 (2) The prior year statewide average approved cost of
 14 transportation per mile multiplied by the number of
 15 miles of home-to-school transportation in the school
 16 district.



1 (b) The Superintendent of Public Instruction shall
2 make an apportionment equal to the amount in
3 subdivision (a) only from funds specifically appropriated
4 for that purpose for the ~~1999-2000~~ 1998-99 fiscal year.

5 (c) *For the 1999-2000 fiscal year, school districts that*
6 *received an allowance pursuant to this section shall*
7 *receive, subject to an appropriation of funds for this*
8 *purpose, an amount equal to that allowance but may not*
9 *also receive funding pursuant to Section 41851.*

10 (d) For the 2000-01 fiscal year and each fiscal year
11 thereafter, school districts that received an allowance
12 pursuant to subdivisions (a) ~~and (b)~~, (b), and (c) shall,
13 subject to the appropriation of funds for this purpose,
14 receive a home-to-school transportation allowance equal
15 to the amount calculated pursuant to subdivision (c) of
16 Section 41851.

17 ~~(d)~~

18 (e) School districts and county superintendents of
19 schools that provide transportation services by means of
20 a joint powers agreement, a cooperative pupil
21 transportation program, or a consortium may receive
22 transportation allowances pursuant to this section.

23 ~~(e)~~

24 (f) A school district or county superintendent of
25 schools that received home-to-school transportation
26 funds in the 1983-84 fiscal year and shifted all of this
27 home-to-school transportation funding to its special
28 education transportation program in the 1992-93 fiscal
29 year shall not be eligible to receive funding pursuant to
30 this section.

31 ~~(f)~~

32 (g) Funds received pursuant to this section shall be for
33 costs of home-to-school transportation, exclusive of excess
34 costs paid to another local education agency.

35 SEC. 2. (a) The sum of eight hundred fifty thousand
36 dollars (\$850,000) is hereby appropriated from the
37 General Fund to Section A of the State School Fund for
38 the purposes of funding home-to-school transportation
39 pursuant to Section 41851.15 of the Education Code in the
40 ~~1999-2000~~ 1998-99 fiscal year.



1 (b) For the purposes of making the computations
2 required by Section 8 of Article XVI of the California
3 Constitution, the appropriation made by subdivision (a)
4 shall be deemed to be “General Fund revenues
5 appropriated for school districts,” as defined in
6 subdivision (c) of Section 41202 of the Education Code,
7 for the ~~1999–2000~~ 1998–99 fiscal year, and included within
8 the “total allocations to school districts and community
9 college districts from General Fund proceeds of taxes
10 appropriated pursuant to Article XIII B,” as defined in
11 subdivision (e) of Section 41202 of the Education Code,
12 for the ~~1999–2000~~ 1998–99 fiscal year.

13 SEC. 3. This act is an urgency statute necessary for the
14 immediate preservation of the public peace, health, or
15 safety within the meaning of Article IV of the
16 Constitution and shall go into immediate effect. The facts
17 constituting the necessity are:

18 In order to provide to school districts affected by this
19 measure home-to-school transportation funding for the
20 ~~1999–2000~~ 1998–99 fiscal year, it is necessary that this act
21 take effect immediately.

