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HOUSE BILL 112

51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014

INTRODUCED BY

Dennis J. Roch

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AN ACT

RELATING TO PUBLIC SCHOOL TRANSPORTATION; CHANGING THE DATES
FOR REPORTING SCHOOL TRANSPORTATION INFORMATION TO THE STATE
TRANSPORTATION DIRECTOR; CHANGING THE BASIS FOR DETERMINING
TRANSPORTATION DISTRIBUTION ALLOCATIONS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 22-8-29 NMSA 1978 (being Laws 1967,
Chapter 16, Section 78, as amended) is amended to read:

"22-8-29. TRANSPORTATION DISTRIBUTIONS--REPORTS--
PAYMENTS.--

A. Prior to [~~November~~] December 15 of each year,
each local school board of a school district and governing body
of a state-chartered charter school shall report to the state
transportation director, upon forms furnished by the state
transportation director, the following information concerning

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1 the school district's or state-chartered charter school's
2 operation on the [~~first~~] second reporting date of the current
3 year:

4 (1) the number and designation of school bus
5 routes in operation in the school district;

6 (2) the number of miles traveled by each
7 school bus on each school bus route, showing the route mileage
8 in accordance with the type of road surface traveled;

9 (3) the number of students, including special
10 education students, transported on the [~~first~~] second reporting
11 date of the current year [~~and adjusted for special education~~
12 ~~students on December 1~~];

13 (4) the projected number of students to be
14 transported in the next school year;

15 (5) the seating capacity, age and mileage of
16 each bus used in the school district for student
17 transportation; and

18 (6) the number of total miles traveled for
19 each school district's or state-chartered charter school's per
20 capita feeder routes.

21 B. Each local school board of a school district and
22 governing body of a state-chartered charter school maintaining
23 a school bus route shall make further reports to the state
24 transportation director at other times specified by the state
25 transportation director.

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1 C. The state transportation director shall certify
2 to the secretary that the allocations from the transportation
3 distributions to each school district and state-chartered
4 charter school are based upon the transportation distribution
5 formula established in the Public School Code, [~~The allocations~~
6 ~~for the first six months of a school year shall be based upon~~
7 ~~the tentative transportation budget of the school district or~~
8 ~~state-chartered charter school for the current fiscal year.~~
9 ~~Allocations to a school district or state-chartered charter~~
10 ~~school for the remainder of the school year shall adjust the~~
11 ~~amount received by the school district or state-chartered~~
12 ~~charter school so that it equals the amount the school district~~
13 ~~or state-chartered charter school is entitled to receive for~~
14 ~~the entire school year based upon the November 15 report]~~
15 calculated and distributed for the entire school year using the
16 amounts reported on the second reporting date of the prior
17 school year, and subject to audit and verification.

18 D. If, upon determination of the state
19 transportation director, the number of students reported on the
20 second reporting date pursuant to Paragraph (3) of Subsection A
21 of this section grew over the number of students from the
22 second reporting date of the prior year, the state
23 transportation director, with approval of the secretary, may
24 transfer an amount from the transportation emergency fund to
25 the local school board of a school district or governing body

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1 of a charter school up to the difference between:

2 (1) the current transportation allocation
3 calculated using the amounts reported on the second reporting
4 date of the prior school year; and

5 (2) the allocation calculated with the number
6 of students reported on the second reporting date pursuant to
7 Paragraph (3) of Subsection A of this section from the current
8 year.

9 ~~[D-]~~ E. The department shall make periodic
10 installment payments to school districts and state-chartered
11 charter schools during the school year from the transportation
12 distributions, based upon the allocations certified by the
13 state transportation director."

14 **SECTION 2. EFFECTIVE DATE.**--The effective date of the
15 provisions of this act is July 1, 2015.