

# D R A F T

## SUMMARY

Prohibits school district from expending moneys received to replace school buses if school district enters into contract with private entity to provide student transportation. Provides that any moneys expended in violation of prohibition shall be subtracted from following year's distribution.

Declares emergency, effective July 1, 2013.

## A BILL FOR AN ACT

1  
2 Relating to school transportation costs; creating new provisions; amending  
3 ORS 327.033; and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 327.033 is amended to read:

6 327.033. (1) Approved transportation costs shall be estimated for the year  
7 of distribution.

8 (2) In determining approved transportation costs, the State Board of Ed-  
9 ucation:

10 (a) Shall include depreciation of original cost to the school district of  
11 district-owned buses, not in excess of 10 percent per year; and

12 (b) Shall include the costs to retrofit, as defined in ORS 468A.795, or to  
13 replace school buses for the purpose of reducing or eliminating diesel engine  
14 emissions, except that the board may not include the costs paid with moneys  
15 received from the state by a school district from the Clean Diesel Engine  
16 Fund under ORS 468A.801 (2)(a) to retrofit or to replace school buses for the  
17 purpose of reducing or eliminating diesel engine emissions.

18 (3) School districts shall account separately for those funds received from  
19 the State School Fund attributable to the costs included under subsection (2)

1 of this section, and expenditure of those funds shall be limited as follows:

2 (a) The expenditure of funds attributable to costs under subsection (2)(a)  
3 of this section shall be limited to the acquisition of new buses.

4 (b) The expenditure of funds attributable to costs under subsection (2)(b)  
5 of this section shall be limited to the costs to retrofit, as defined in ORS  
6 468A.795, or to replace school buses for the purpose of reducing or elimi-  
7 nating diesel engine emissions.

8 **(4) A school district may not expend moneys received to replace**  
9 **school buses if the school district enters into a contract with a private**  
10 **entity to provide student transportation. Any moneys expended in vi-**  
11 **olation of the prohibition of this subsection shall be subtracted from**  
12 **the following year's distribution.**

13 **SECTION 2. The amendments to ORS 327.033 by section 1 of this**  
14 **2013 Act apply to expenditures made on or after the effective date of**  
15 **this 2013 Act.**

16 **SECTION 3. This 2013 Act being necessary for the immediate pres-**  
17 **ervation of the public peace, health and safety, an emergency is de-**  
18 **clared to exist, and this 2013 Act takes effect July 1, 2013.**

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