

# A-Engrossed House Bill 4136

Ordered by the House February 17  
Including House Amendments dated February 17

Sponsored by Representatives MCKEOWN, LIVELY, Senator ROBLAN, Representative SMITH DB; Representatives ALONSO LEON, BARRETO, BONHAM, CLEM, EVANS, GOMBERG, HELT, HERNANDEZ, HOLVEY, KENY-GUYER, LEIF, MCLAIN, MEEK, NOBLE, PILUSO, POST, REARDON, SALINAS, SANCHEZ, WILDE, WITT (Presession filed.)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

[*Removes*] **Narrows** requirement that grants for certain student transportation costs be prioritized for school districts that did not receive public moneys in previous school year for same student transportation costs.

Appropriates moneys for grants.  
Takes effect July 1, 2020.

## A BILL FOR AN ACT

1  
2 Relating to student transportation costs; creating new provisions; amending ORS 327.331; and pre-  
3 scribing an effective date.

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

5 **SECTION 1.** ORS 327.331 is amended to read:

6 327.331. (1) In addition to moneys distributed through the State School Fund, the Department  
7 of Education shall award grants to school districts as provided by subsections (5) and (6) of this  
8 section for up to 50 percent of student transportation costs described in subsection (2) of this sec-  
9 tion.

10 (2) A school district may receive a grant under this section only for student transportation  
11 costs:

12 (a) For which the school district does not receive any amount in distributions from the State  
13 School Fund under ORS 327.013 or any amount related to transit activities.

14 (b) That are incurred by the school district for the provision of transportation to students in  
15 grades 9 through 12 on:

16 (A) A school bus, as defined in ORS 801.460; or

17 (B) A school activity vehicle, as defined in ORS 801.455.

18 (3)(a) Each school district may apply to the department for a grant under this section.

19 (b) The department shall review and approve applications based on criteria established by the  
20 State Board of Education and shall award grants as provided by subsections (5) and (6) of this sec-  
21 tion.

22 (c) The applications must include the total amount of the student transportation costs described  
23 in subsection (2) of this section and the purposes for which the student transportation costs were  
24 incurred.

25 (4)(a) Notwithstanding ORS 338.155 (9), the department may not award a grant under this section

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.  
New sections are in **boldfaced** type.

1 directly to a public charter school.

2 (b) A school district that receives a grant under this section may transfer a portion of the grant  
3 to a public charter school based on the charter of the school or any other agreement between the  
4 school district and the public charter school.

5 (c) A public charter school that receives grant funds under this subsection shall use those funds  
6 for the student transportation costs described in subsection (2) of this section.

7 (5)(a) Subject to subsection (6) of this section, the amount of each grant for a school district  
8 = the school district's ADMw  $\times$  (the total amount available for distribution to school districts as  
9 grants in each fiscal year  $\div$  the total ADMw of all school districts that receive a grant).

10 (b) As used in this subsection, "ADMw" means the extended weighted average daily membership  
11 as calculated under ORS 327.013, 338.155 (1) and 338.165 (2).

12 (6) If the total amount of grants applied for under subsection (3) of this section exceeds the total  
13 amount available for distribution to school districts under this section, the department:

14 (a) Shall prioritize school districts that did not receive any public moneys **under ORS 184.758**  
15 in the previous school year for student transportation costs described in subsection (2) of this sec-  
16 tion; and

17 (b) May otherwise prioritize school districts or prorate distributions based on rules adopted by  
18 the board.

19 (7) Each school district shall deposit the grant funds it receives under this section in a separate  
20 account and shall apply amounts in that account to pay for student transportation costs described  
21 in the school district's grant application.

22 (8) The board may adopt any rules necessary for the administration of the grant program.

23 (9) Nothing in this section affects a school district's eligibility to receive a waiver as provided  
24 by ORS 327.043.

25 **SECTION 2. The amendments to ORS 327.331 by section 1 of this 2020 Act apply to grants**  
26 **awarded on or after the effective date of this 2020 Act.**

27 **SECTION 3. In addition to and not in lieu of any other appropriation, there is appropri-**  
28 **ated to the Department of Education, for the biennium ending June 30, 2021, out of the**  
29 **General Fund, the amount of \$1,250,000, which shall be distributed as grants for student**  
30 **transportation costs as provided by ORS 327.331.**

31 **SECTION 4. This 2020 Act takes effect on July 1, 2020.**

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