

House Bill 3014

Sponsored by Representatives PHAM K, NERON, NGUYEN H, GAMBA, NOSSE; Representatives DEXTER, MARSH, NELSON, Senators CAMPOS, DEMBROW, JAMA, STEINER (Pre-session 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 **as introduced**.

Directs State Board of Education to adopt rules that allow for reimbursement of school district expenses incurred in lieu of transporting students. Prohibits reimbursements that are greater than amount school district would have received if school district had provided transportation.

Declares emergency, effective July 1, 2023.

A BILL FOR AN ACT

1
2 Relating to approved transportation costs for school districts; 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) As used in this section, "retrofit" and "Environmental Mitigation Trust
7 Agreement" have the meanings given those terms in ORS 468A.795.

8 **(2)(a) The State Board of Education shall adopt rules to determine the amounts to re-**
9 **imburse a school district for costs incurred by the school district in transporting students**
10 **described in ORS 327.006 (2)(a).**

11 **(b) The rules adopted under this subsection must allow for the reimbursement of costs**
12 **incurred by a school district in lieu of providing transportation, including public transit**
13 **passes, payment for crossing guards or pedestrian or bicycle group leaders and payment for**
14 **the promotion and coordination of alternative transportation options. In no event may a**
15 **school district receive an amount under this paragraph that is greater than the amount the**
16 **school district would have received under paragraph (a) of this subsection for providing**
17 **transportation.**

18 [(2)] **(3)** Approved transportation costs shall be estimated for the year of distribution.

19 [(3)] **(4)** In determining approved transportation costs, the State Board of Education:

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

22 (b) Shall include the costs to repower, retrofit or replace school buses powered by diesel engines
23 for the purpose of reducing or eliminating diesel engine emissions, except that the board may not
24 include the costs paid with moneys received from the state by a school district from the Clean
25 Diesel Engine Fund under ORS 468A.801 (2)(a) to repower, retrofit or replace school buses powered
26 by diesel engines for the purpose of reducing or eliminating diesel engine emissions; and

27 (c) Shall include costs to school buses powered by diesel engines as allowed in the Environ-
28 mental Mitigation Trust Agreement, except that the board may not include costs paid from the En-
29 vironmental Mitigation Trust Agreement in the calculation of the transportation grant computed as
30 provided in ORS 327.013.

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 [(4)] (5) School districts shall account separately for those funds received from the State School
2 Fund attributable to the costs included under subsection [(3)] (4) of this section, and expenditure
3 of those funds shall be limited as follows:

4 (a) The expenditure of funds attributable to costs under subsection [(3)(a)] (4)(a) of this section
5 shall be limited to the acquisition of new buses.

6 (b) The expenditure of funds attributable to costs under subsection [(3)(b)] (4)(b) and (c) of this
7 section shall be limited to the costs to repower, retrofit or replace school buses powered by diesel
8 engines for the purpose of reducing or eliminating diesel engine emissions.

9 [(5)] (6) The transportation grant computed as provided in ORS 327.013 when combined with
10 costs paid from the Environmental Mitigation Trust Agreement to replace school buses powered by
11 diesel engines may not exceed the purchase price of the buses for which the funds described in this
12 subsection were received.

13 **SECTION 2. The amendments to ORS 327.033 by section 1 of this 2023 Act apply to costs**
14 **incurred on or after the effective date of this 2023 Act.**

15 **SECTION 3. This 2023 Act being necessary for the immediate preservation of the public**
16 **peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect**
17 **July 1, 2023.**

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