

By: Flores

H.B. No. 74

A BILL TO BE ENTITLED

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AN ACT

relating to state funding for school districts for transportation of students who would be subject to hazardous traffic conditions while walking.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 42.155(d), Education Code, is amended to read as follows:

(d) A district or county may apply for and on approval of the commissioner receive an ~~[additional]~~ amount in addition to ~~[of up to 10 percent of]~~ its regular transportation allotment to be used for the transportation of children living within two miles of the school they attend who would be subject to hazardous traffic conditions if they walked to school. The commissioner shall determine the amount of the additional allotment received under this subsection. Each board of trustees shall adopt a policy that defines ~~[provide to the commissioner the definition of]~~ hazardous traffic conditions applicable to that district and identifies ~~[shall identify]~~ the specific hazardous traffic areas for which the allocation is requested. A hazardous traffic condition includes a condition ~~[exists]~~ where no sidewalk or walkway is provided and children must walk along or cross a freeway or expressway, an underpass, an overpass or a bridge, an uncontrolled major traffic artery, an industrial or commercial area, or another comparable condition. Each board of trustees shall provide a copy of the

1 policy adopted under this subsection to the commissioner and  
2 annually update or confirm that policy, as provided by the  
3 commissioner, to maintain eligibility for an additional allotment  
4 under this subsection. A determination by the commissioner under  
5 this subsection is final and may not be appealed.

6 SECTION 2. This Act applies beginning with the 2006-2007  
7 school year.

8 SECTION 3. This Act takes effect immediately if it receives  
9 a vote of two-thirds of all the members elected to each house, as  
10 provided by Section 39, Article III, Texas Constitution. If this  
11 Act does not receive the vote necessary for immediate effect, this  
12 Act takes effect September 1, 2006.