

Amend **CSHB 2** by striking the text on page 14, line 8, through page 15, line 20, and substituting the following:

SUBCHAPTER D. TRANSPORTATION ALLOTMENT

Sec. 42.201. TRANSPORTATION ALLOTMENT. Each district or county operating a transportation system is entitled to allotments for transportation costs as provided by this subchapter.

Sec. 42.202. DEFINITIONS. In this subchapter:

(1) "Eligible special education student" means a student who is eligible for special education services under Section 29.003 and who would be unable to attend classes without special transportation services.

(2) "Linear density" means the average number of regular eligible students transported daily, divided by the approved daily route miles traveled by the respective transportation system.

(3) "Regular eligible student" means a student who resides two or more miles from the student's campus of regular attendance, measured along the shortest route that may be traveled on public roads, and who is not classified as a student eligible for special education services.

Sec. 42.203. REGULAR TRANSPORTATION ALLOTMENT. (a) Each school district or county operating a regular transportation system is entitled to an allotment based on the daily cost per regular eligible student of operating and maintaining the regular transportation system and the linear density of that system.

(b) In determining the cost, the commissioner shall give consideration to factors affecting the actual cost of providing these transportation services in each school district or county. The commissioner shall compute the average actual cost and shall report that cost to the Legislative Budget Board for consideration by the legislature in the General Appropriations Act.

(c) The allotment per mile of approved route may not exceed the amount set by appropriation.

Sec. 42.204. HAZARDOUS CONDITIONS TRANSPORTATION ALLOTMENT. (a) A school district or county may apply for and on

approval of the commissioner receive an additional amount of up to 10 percent of its regular transportation allotment to be used for the transportation of children who live within two miles of the school they attend and who would be subject to hazardous traffic conditions if they walked to school.

(b) Each board of trustees shall provide to the commissioner the definition of hazardous conditions applicable to that district and shall identify the specific hazardous areas for which the allotment is requested. A hazardous condition exists where no 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.

Sec. 42.205. PRIVATE OR COMMERCIAL TRANSPORTATION ALLOTMENT. (a) The commissioner may grant an amount set by appropriation for private or commercial transportation for eligible students from isolated areas. The need for this type of transportation grant shall be determined on an individual basis, and the amount granted may not exceed the actual cost.

(b) The grants may be made only in extreme hardship cases. A grant may not be made if the students live within two miles of an approved school bus route.

Sec. 42.206. TRANSPORTATION OF CAREER AND TECHNOLOGY EDUCATION STUDENTS. The cost of transporting career and technology education students from one campus to another inside a school district or from a sending district to another secondary public school for a career and technology program or an area career and technology school or to an approved postsecondary institution under a contract for instruction approved by the agency shall be reimbursed based on the number of actual miles traveled times the district's official extracurricular travel per mile rate as set by the board of trustees and approved by the agency.

Sec. 42.207. TRANSPORTATION OF SPECIAL EDUCATION STUDENTS. (a) A school district or county that provides special transportation services for eligible special education students is entitled to a state allotment paid on a previous year's cost-per-mile basis. The maximum rate per mile allowable shall be

set by appropriation based on data gathered from the first year of each preceding biennium.

(b) A school district may use a portion of its support allocation to pay transportation costs, if necessary. The commissioner may grant an amount set by appropriation for private transportation to reimburse parents or their agents for transporting eligible special education students. The mileage allowed shall be computed along the shortest public road from the student's home to school and back, morning and afternoon. The need for this type of transportation shall be determined on an individual basis and shall be approved only in extreme hardship cases.

Sec. 42.208. DETERMINATION OF TRANSPORTATION ALLOTMENTS OF DISTRICT BELONGING TO COUNTY TRANSPORTATION SYSTEM. If a school district belongs to a county transportation system, the district's transportation allotment is determined on the basis of the number of approved daily route miles in the district multiplied by the allotment per mile to which the county transportation system is entitled.

Sec. 42.209. TRANSPORTATION ALLOTMENT FOR TEXAS SCHOOL FOR THE DEAF. The Texas School for the Deaf is entitled to an allotment under this subchapter. The commissioner shall determine the appropriate allotment.

Sec. 42.210. TRANSPORTATION TO CHILD-CARE FACILITIES. Notwithstanding any other provision of this subchapter, the commissioner may not reduce the allotment to which a school district or county is entitled under this subchapter because, as authorized by Section 34.007, the district or county provides transportation for an eligible student to and from a child-care facility, as defined by Section 42.002, Human Resources Code, instead of the student's residence, if the transportation is provided within the approved routes of the district or county for the school the student attends.

Sec. 42.211. USE OF TRANSPORTATION ALLOTMENTS. Funds allotted under this subchapter must be used in providing transportation services.

[Sections 42.212-42.220 reserved for expansion]