

By: Biedermann

H.B. No. 4010

A BILL TO BE ENTITLED

AN ACT

1
2 relating to school district transportation services; authorizing a
3 fee.

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

5 SECTION 1. Section [11.158](#), Education Code, is amended by
6 amending Subsections (a) and (f) and adding Subsection (f-1) to
7 read as follows:

8 (a) The board of trustees of an independent school district
9 may require payment of:

10 (1) a fee for materials used in any program in which
11 the resultant product in excess of minimum requirements becomes, at
12 the student's option, the personal property of the student, if the
13 fee does not exceed the cost of materials;

14 (2) membership dues in student organizations or clubs
15 and admission fees or charges for attending extracurricular
16 activities, if membership or attendance is voluntary;

17 (3) a security deposit for the return of materials,
18 supplies, or equipment;

19 (4) a fee for personal physical education and athletic
20 equipment and apparel, although any student may provide the
21 student's own equipment or apparel if it meets reasonable
22 requirements and standards relating to health and safety
23 established by the board;

24 (5) a fee for items of personal use or products that a

1 student may purchase at the student's option, such as student
2 publications, class rings, annuals, and graduation announcements;

3 (6) a fee specifically permitted by any other statute;

4 (7) a fee for an authorized voluntary student health
5 and accident benefit plan;

6 (8) a reasonable fee, not to exceed the actual annual
7 maintenance cost, for the use of musical instruments and uniforms
8 owned or rented by the district;

9 (9) a fee for items of personal apparel that become the
10 property of the student and that are used in extracurricular
11 activities;

12 (10) a parking fee or a fee for an identification card;

13 (11) a fee for a driver training course, not to exceed
14 the actual district cost per student in the program for the current
15 school year;

16 (12) a fee for a course offered for credit that
17 requires the use of facilities not available on the school premises
18 or the employment of an educator who is not part of the school's
19 regular staff, if participation in the course is at the student's
20 option;

21 (13) a fee for a course offered during summer school,
22 except that the board may charge a fee for a course required for
23 graduation only if the course is also offered without a fee during
24 the regular school year;

25 (14) a reasonable fee for transportation of a student
26 to and from [~~who lives within two miles of~~] the school the student
27 attends [~~to and from that school, except that the board may not~~

1 ~~charge a fee for transportation for which the school district~~
2 ~~receives funds under Section 42.155(d)]; or~~

3 (15) a reasonable fee, not to exceed \$50, for costs
4 associated with an educational program offered outside of regular
5 school hours through which a student who was absent from class
6 receives instruction voluntarily for the purpose of making up the
7 missed instruction and meeting the level of attendance required
8 under Section 25.092 [~~or~~

9 [~~(16) if the district does not receive any funds under~~
10 ~~Section 42.155 and does not participate in a county transportation~~
11 ~~system for which an allotment is provided under Section 42.155(i),~~
12 ~~a reasonable fee for the transportation of a student to and from the~~
13 ~~school the student attends].~~

14 (f) Except as provided by Subsection (f-1), a [A] school
15 district shall adopt reasonable procedures for waiving a deposit or
16 fee if a student or the student's parent or guardian is unable to
17 pay it. This policy shall be posted in a central location in each
18 school facility, in the school policy manual, and in the student
19 handbook.

20 (f-1) A school district may waive or reduce fees for
21 transportation imposed under Subsection (a)(14) for a student who
22 is socioeconomically disadvantaged, as determined by the district.

23 SECTION 2. Chapter 34, Education Code, is amended by adding
24 Section 34.0041 to read as follows:

25 Sec. 34.0041. BUS STOPS. In operating a public school
26 transportation system, a school district may establish bus stops at
27 reasonable intervals on a school bus route as necessary to reduce

1 the costs of providing student transportation.

2 SECTION 3. This Act applies beginning with the 2017-2018
3 school year.

4 SECTION 4. This Act takes effect immediately if it receives
5 the vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2017.