

By: Campbell

S.B. No. 1089

A BILL TO BE ENTITLED

AN ACT

relating to the circumstances under which a school district is required to provide air-conditioned transportation for students.

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

SECTION 1. Section 12A.004(a), Education Code, is amended to read as follows:

(a) A local innovation plan may not provide for the exemption of a district designated as a district of innovation from the following provisions of this title:

(1) a state or federal requirement applicable to an open-enrollment charter school operating under Subchapter D, Chapter 12;

(2) Subchapters A, C, D, and E, Chapter 11, except that a district may be exempt from Sections 11.1511(b)(5) and (14) and Section 11.162;

(3) state curriculum and graduation requirements adopted under Chapter 28;

(4) the transportation requirement imposed under Section 34.0031; and

(5) [~~4~~] academic and financial accountability and sanctions under Chapters 39 and 39A.

SECTION 2. Chapter 34, Education Code, is amended by adding Section 34.0031 to read as follows:

Sec. 34.0031. AIR-CONDITIONED TRANSPORTATION PROVIDED BY

1 CERTAIN SCHOOL DISTRICTS. (a) In addition to other requirements  
2 provided by law, a school district that begins instruction for  
3 students for a school year before the fourth Monday in August shall  
4 provide for air-conditioned transportation of students to and from  
5 school starting with the first day of instruction and continuing  
6 through the fourth Monday in August.

7 (b) The commissioner shall adopt rules to administer this  
8 section.

9 SECTION 3. Section 34.008(a), Education Code, is amended to  
10 read as follows:

11 (a) A board of county school trustees or school district  
12 board of trustees may contract with a mass transit authority,  
13 commercial transportation company, or juvenile board for all or any  
14 part of a district's public school transportation if the authority,  
15 company, or board:

16 (1) requires its school bus drivers to have the  
17 qualifications required by and to be certified in accordance with  
18 standards established by the Department of Public Safety; ~~and~~

19 (2) uses only those school buses or mass transit  
20 authority buses in transporting 15 or more public school students  
21 that meet or exceed safety standards for school buses established  
22 under Section 34.002; and

23 (3) if applicable, uses only those school buses or  
24 mass transit authority buses equipped with air-conditioning as  
25 required by Section 34.0031 in transporting public school students  
26 to and from school during the period required under that section.

27 SECTION 4. As soon as practicable after the effective date

1 of this Act, the commissioner of education shall adopt rules to  
2 administer Section 34.0031, Education Code, as added by this Act.

3 SECTION 5. Section 34.008, Education Code, as amended by  
4 this Act, applies only to a contract entered into or renewed on or  
5 after the effective date of this Act. A contract entered into or  
6 renewed before the effective date of this Act is governed by the law  
7 as it existed immediately before the effective date of this Act, and  
8 that law is continued in effect for that purpose.

9 SECTION 6. This Act takes effect immediately if it receives  
10 a vote of two-thirds of all the members elected to each house, as  
11 provided by Section 39, Article III, Texas Constitution. If this  
12 Act does not receive the vote necessary for immediate effect, this  
13 Act takes effect September 1, 2019.