

1 State of Arkansas
2 84th General Assembly
3 Second Extraordinary Session, 2003
4

Call Item 6

A Bill

HOUSE BILL 1173

5 By: Representative Chesterfield
6
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For An Act To Be Entitled

9 AN ACT TO REQUIRE A SCHOOL DISTRICT THAT FAILS TO
10 PROVIDE FIFTY PERCENT (50%) OR MORE OF STUDENT
11 TRANSPORTATION SERVICES FOR ANY THREE (3) DAYS OR
12 MORE THAT THE SCHOOL DISTRICT IS OPEN FOR STUDENT
13 INSTRUCTION IN A SCHOOL YEAR TO RETURN THE MONEYS
14 EQUAL TO THE SCHOOL DISTRICT'S TOTAL BUDGETED
15 AMOUNT FOR STUDENT TRANSPORTATION TO THE
16 DEPARTMENT OF EDUCATION PUBLIC SCHOOL FUND
17 ACCOUNT; AND FOR OTHER PURPOSES.

Subtitle

19 TO REQUIRE A SCHOOL DISTRICT THAT FAILS
20 TO PROVIDE STUDENT TRANSPORTATION
21 SERVICES TO RETURN THE SCHOOL DISTRICT'S
22 BUDGETED DOLLARS FOR STUDENT
23 TRANSPORTATION TO THE STATE.
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27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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29 SECTION 1. Arkansas Code Title 6, Chapter 19, is amended to add an
30 additional section to read as follows:

31 6-19-121. Return of funds.

32 (a) As used in this section, "student transportation services" means
33 the average daily number of the public school bus routes that were provided
34 for the previous school year as the school district's school bus service
35 during the days that the school is open for student instruction to all grades
36 kindergarten through twelve (K-12).



1 (b) If a school district fails to provide fifty percent (50%) or more
 2 of student transportation services for any three (3) days or more that the
 3 school district is open for student instruction in a school year, then the
 4 school district shall return the moneys equal to the school district's total
 5 budgeted amount for student transportation for the school year to the
 6 Department of Education Public School Fund Account within thirty (30) days
 7 after the end of the school year.

8
 9 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
 10 General Assembly of the State of Arkansas that some school districts are
 11 failing to provide public school student transportation services for a
 12 substantial portion of their school district; that a school district that
 13 fails to provide fifty percent (50%) or more of the student transportation
 14 services for any three (3) days or more that the school district is open in a
 15 school year, then the school district should be penalized for poorly managing
 16 the school district's transportation services and funds; and this act is
 17 immediately necessary to establish and reinforce that the school districts
 18 should exercise great care when expending public moneys to provide necessary
 19 and budgeted services. Therefore, an emergency is declared to exist and this
 20 act being immediately necessary for the preservation of the public peace,
 21 health, and safety shall become effective on:

22 (1) The date of its approval by the Governor;

23 (2) If the bill is neither approved nor vetoed by the Governor,
 24 the expiration of the period of time during which the Governor may veto the
 25 bill; or

26 (3) If the bill is vetoed by the Governor and the veto is
 27 overridden, the date the last house overrides the veto.