

HOUSE BILL 175

57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026

INTRODUCED BY

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10 | AN ACT

RELATING TO PUBLIC SCHOOL FINANCE; REQUIRING SCHOOL DISTRICTS AND STATE-CHARTERED CHARTER SCHOOLS TO REPORT THE NUMBER OF CHARTER SCHOOL STUDENTS TRANSPORTED ON ROUTES OPERATED BY THE SCHOOL DISTRICT OR STATE-CHARTERED CHARTER SCHOOL AND DATA THAT MAY SHOW EXPANSION OF TRANSPORTATION SERVICES; PROVIDING THAT A SCHOOL DISTRICT OR STATE-CHARTERED CHARTER SCHOOL THAT REPORTS DATA SHOWING EXPANDED TRANSPORTATION SERVICES IN THE CURRENT SCHOOL YEAR SHALL RECEIVE AN ALLOCATION IN THE CURRENT SCHOOL YEAR FOR THAT EXPANSION; PROVIDING THAT THE ALLOCATION IS SUBJECT TO RECONCILIATION OR ADJUSTMENT IN THE SUBSEQUENT SCHOOL YEAR AS PROVIDED BY PUBLIC EDUCATION DEPARTMENT RULE; MAKING CONFORMING AMENDMENTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 22-8-29 NMSA 1978 (being Laws 1967,

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1 Chapter 16, Section 78, as amended) is amended to read:

2 "22-8-29. TRANSPORTATION DISTRIBUTIONS--REPORTS--

3 PAYMENTS.--

4 A. On the second reporting date and the third
5 reporting date of each year, each local school board of a
6 school district and governing body of a state-chartered charter
7 school shall report to the state transportation director, upon
8 forms furnished by the state transportation director, the
9 following information concerning the school district's or
10 state-chartered charter school's operation on each respective
11 reporting date of the current year:

12 (1) the number and designation of school bus
13 routes ~~[in operation in the school district]~~ operated by the
14 school district or state-chartered charter school;

15 (2) the number of miles traveled by each
16 school bus on each school bus route, showing the route mileage
17 in accordance with the type of road surface traveled;

18 (3) the number of students transported on each
19 bus route operated by the school district or state-chartered
20 charter school, including:

21 (a) special education students,
22 transported on each reporting date of the current year and
23 adjusted for special education students on December 1; and

24 (b) students enrolled at a locally
25 chartered or state-chartered charter school transported on each

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reporting date of the current year by the students' charter school, a school district or another charter school pursuant to an agreement;

(4) the projected number of students to be transported in the next school year;

(5) the seating capacity, age and mileage of each bus used in the school district for student transportation; [and]

(6) the number of total miles traveled for each school district's or state-chartered charter school's per capita feeder routes;

(7) the number of students transported on public transit or through other department-approved fare-based transportation at the expense of the school district or locally chartered or state-chartered charter school and the associated costs; and

(8) if applicable, the number of new routes,
the increase in miles traveled or the number of new riders
compared to the data reported by the school district or state-
chartered charter school in the prior school year.

B. Each local school board of a school district and governing body of a state-chartered charter school maintaining a school bus route shall make further reports to the state transportation director at other times specified by the state transportation director.

C. The state transportation director shall certify to the secretary that the allocations from the transportation distributions to each school district and state-chartered charter school are based upon the transportation distribution formula established in the Public School Code, calculated and distributed for the entire school year using an average of the amounts reported pursuant to Subsection A of this section on the second reporting date and third reporting date of the prior school year, and are subject to audit and verification; provided that [for fiscal years 2022 and 2023, the state transportation director shall use an average of the amounts reported pursuant to Subsection A of this section on the second and third reporting dates of fiscal year 2020] a school district or state-chartered charter school that reports data showing expanded transportation services in the current school year pursuant to Paragraph (8) of Subsection A of this section shall receive an allocation in the current school year calculated using that reported data, which shall be subject to reconciliation or adjustment in the subsequent school year as provided by department rule.

D. The department shall make periodic installment payments to school districts and state-chartered charter schools during the school year from the transportation distributions, based upon the allocations certified by the state transportation director."