HOUSE BILL 57

55TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2022

INTRODUCED BY

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FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AN ACT

RELATING TO PUBLIC SCHOOL FINANCE; ADJUSTING SCHOOL DISTRICTS'
AND CHARTER SCHOOLS' FISCAL YEAR 2023 TRANSPORTATION
DISTRIBUTION CALCULATIONS FOR EFFECTS OF THE CORONAVIRUS
DISEASE 2019 PANDEMIC ON TRANSPORTATION; MAKING TEMPORARY
ADJUSTMENTS TO TRANSPORTATION DISTRIBUTIONS.

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

SECTION 1. Section 22-8-29 NMSA 1978 (being Laws 1967,
Chapter 16, Section 78, as amended) is amended to read:

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

A. On the second reporting date and the third
reporting date of each year, each local school board of a
school district and governing body of a state-chartered charter
school shall report to the state transportation director, upon

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forms furnished by the state transportation director, the following information concerning the school district's or state-chartered charter school's operation on each respective reporting date of the current year:

(1) the number and designation of school bus routes in operation in the school district;

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

(3) the number of students, including special education students, transported on each reporting date of the current year and adjusted for special education students on December 1;

(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.

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

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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 [year] 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.

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."

SECTION 2. Section 22-8-29.1 NMSA 1978 (being Laws 1995, Chapter 208, Section 10, as amended) is amended to read:

"22-8-29.1. CALCULATION OF TRANSPORTATION ALLOCATION.--

A. As used in this section:

(1) "annual variables" means the coefficients calculated by regressing the total operational expenditures

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from two years prior to the current school year for each school district and state-chartered charter school using the number of students transported and the numerical value of site characteristics; provided that for fiscal [year] years 2022 and 2023, the coefficients shall be calculated by regressing the total operational expenditures from fiscal year 2019;

(2) "base amount" means the fixed amount that is the same for all school districts and an amount established by rule for state-chartered charter schools;

(3) "total operational expenditures" means the sum of all to-and-from school transportation expenditures, excluding expenditures incurred in accordance with the provisions of Section 22-8-27 NMSA 1978; and

(4) "variable amount" means the sum of the product of the annual variables multiplied by each school district's or state-chartered charter school's numerical value of the school district's and state-chartered charter school's site characteristics multiplied by the number of days of operation for each school district or state-chartered charter school.

B. The department shall calculate the transportation allocation for each school district and state-chartered charter school.

C. The base amount is designated as product A. Product A is the constant calculated by regressing the total

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1   operational expenditures from the two years prior to the

2   current school year for school district or state-chartered

3   charter school operations using the numerical value of site

4   characteristics approved by the department. The legislative

5   education study committee and the legislative finance committee

6   may review the site characteristics developed by the state

7   transportation director prior to approval by the department.

8   D.   The variable amount is designated as product B.

9   Product B is the predicted additional expenditures for each

10   school district or state-chartered charter school based on the

11   regression analysis using the site characteristics as predictor

12   variables multiplied by the number of days.

13   E.   The allocation to each school district and

14   state-chartered charter school shall be equal to product A plus

15   product B. The adjustment factor shall be applied to the

16   calculation.

17   F.   For the 2001-2002, 2002-2003 and 2003-2004

18   school years, the transportation allocation for each school

19   district shall not be less than ninety-five percent or more

20   than one hundred five percent of the prior school year's

21   transportation expenditure."

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