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By: **Chairman, Ways and Means Committee (By Request - Departmental - Education)**

Introduced and read first time: January 21, 2004

Assigned to: Ways and Means

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 2, 2004

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Education - Disabled Student Transportation Grant**

3 FOR the purpose of altering the fiscal year used in the calculation for a certain grant  
4 for student transportation; providing for the application of this Act; and  
5 generally relating to education and the funding for disabled student  
6 transportation.

7 BY repealing and reenacting, with amendments,  
8 Article - Education  
9 Section 5-205  
10 Annotated Code of Maryland  
11 (2001 Replacement Volume and 2003 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article - Education**

15 5-205.

16 (a) The State shall distribute grants as provided under this section to the  
17 county boards to provide transportation services for public school students and  
18 disabled children for whom transportation is to be provided under § 8-410 of this  
19 article. Appropriations for student transportation shall be budgeted in a separate  
20 budget category as provided in § 5-101 of this article. If the amount that is  
21 appropriated to a county under this section in a fiscal year is more than the actual  
22 cost of providing student transportation services in that county, a county board may

1 apply any excess funds to costs of pupil transportation in subsequent years. None of  
 2 these funds may be paid to or claimed by any subdivision, nor may any of these funds  
 3 be reverted to any subdivision. A county board may not transfer State revenues from  
 4 the student transportation category to any other category as a result of this section.

5 (b) For the purpose of calculating the 2004 base grants for student  
 6 transportation to county boards, the following amounts shall be used as the fiscal  
 7 year 2003 base grant amounts:

|    |      |                 |       |              |
|----|------|-----------------|-------|--------------|
| 8  | (1)  | Allegany        | ..... | \$2,838,327  |
| 9  | (2)  | Anne Arundel    | ..... | \$12,716,216 |
| 10 | (3)  | Baltimore City  | ..... | \$10,303,967 |
| 11 | (4)  | Baltimore       | ..... | \$15,715,504 |
| 12 | (5)  | Calvert         | ..... | \$3,294,141  |
| 13 | (6)  | Caroline        | ..... | \$1,580,176  |
| 14 | (7)  | Carroll         | ..... | \$5,738,454  |
| 15 | (8)  | Cecil           | ..... | \$2,997,774  |
| 16 | (9)  | Charles         | ..... | \$5,813,595  |
| 17 | (10) | Dorchester      | ..... | \$1,465,299  |
| 18 | (11) | Frederick       | ..... | \$6,620,447  |
| 19 | (12) | Garrett         | ..... | \$1,886,605  |
| 20 | (13) | Harford         | ..... | \$7,277,627  |
| 21 | (14) | Howard          | ..... | \$8,460,292  |
| 22 | (15) | Kent            | ..... | \$985,359    |
| 23 | (16) | Montgomery      | ..... | \$18,663,456 |
| 24 | (17) | Prince George's | ..... | \$21,018,217 |
| 25 | (18) | Queen Anne's    | ..... | \$1,952,856  |
| 26 | (19) | St. Mary's      | ..... | \$3,673,545  |
| 27 | (20) | Somerset        | ..... | \$1,143,107  |
| 28 | (21) | Talbot          | ..... | \$981,334    |
| 29 | (22) | Washington      | ..... | \$3,784,100  |

1           (23)   Wicomico       .....       \$3,001,531

2           (24)   Worcester       .....       \$1,856,978

3       (c)    (1)    In this subsection, "full-time equivalent enrollment" has the  
4 meaning stated in § 5-202 of this subtitle.

5           (2)    Subject to the limitations under paragraph (3) of this subsection, for  
6 fiscal year 2004 and every year thereafter the amount of a county's base grant for  
7 student transportation shall be equal to the amount of the county's base grant for  
8 student transportation for the previous year increased by the same percentage as the  
9 increase in the private transportation category of the Consumer Price Index for all  
10 urban consumers, for the Washington-Baltimore metropolitan area, as of July of the  
11 fiscal year preceding the year for which the amount is being calculated, plus an  
12 additional amount equal to the product of:

13                   (i)    The total amount of funds distributed by the State as base  
14 grants for student transportation for the previous fiscal year divided by the statewide  
15 full-time equivalent enrollment for the previous fiscal year; and

16                   (ii)   The difference between the full-time equivalent enrollment in a  
17 county for the current fiscal year and the full-time equivalent enrollment in the  
18 county for the previous fiscal year, or, if the full-time equivalent enrollment in a  
19 county for the current fiscal year is less than the full-time equivalent enrollment in  
20 the county for the previous fiscal year, zero.

21           (3)    The increase in the amount of a base grant for student transportation  
22 that is based on the increase in the private transportation category of the Consumer  
23 Price Index may not be less than 3 percent nor more than 8 percent of the amount of  
24 the grant for the previous year.

25       (d)    For each fiscal year, in addition to the base grant for student  
26 transportation provided under subsection (c) of this section, a disabled student  
27 transportation grant shall be distributed to each county board. The amount of the  
28 grant to each board shall be equal to the product of the number of disabled students  
29 requiring special transportation services who are transported by the county board in  
30 the [second prior] PREVIOUS fiscal year and:

31           (1)    \$600 in fiscal year 2004;

32           (2)    \$700 in fiscal year 2005;

33           (3)    \$800 in fiscal year 2006;

34           (4)    \$900 in fiscal year 2007; and

35           (5)    \$1,000 in fiscal year 2008 and each fiscal year thereafter.

36       (e)    For the purposes of determining the amount of the grant provided under  
37 subsection (d) of this section, the State Board shall develop a procedure and adopt

1 regulations for determining the number of disabled students transported in each  
2 jurisdiction in the [second prior] PREVIOUS fiscal year.

3 (f) The State Board shall adopt rules and regulations that provide for the safe  
4 operation of the student transportation system of each county board of education.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
6 effect July 1, 2004 and shall be applicable to disabled student transportation grants  
7 distributed in fiscal year 2006 and each fiscal year thereafter.